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JOURNAL

OF THE

TENNESSEE STATE LIBRARY

SENATE,

AT THE

SECOND SESSION

OF THE

SEVENTH GENERAL ASSEMBLY,

OF THE

STATE OF TENNESSEE,

BEGUN AND HELD

AT KNOXVILLE,

ON MONDAY, THE THIRD OF APRIL,

One Thousand Eight Hundred & Nine.

KNOXVILLE:

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1809.

TENNESSEE STATE LIBRARY

JOURNAL

OF THE

SENATE,

OF THE

STATE OF TENNESSEE.

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AT a meeting of the General Assembly of the State of Tennessee, in Knoxville, on Monday the third of April, one thousand eight hundred and nine, being the Second Session of the Seventh General Assembly of the said State, the following gentlemen, members of the Senate, appeared and took their seats.

From the county of

Davidson, Mr. Robert Weakley.

Greene, Mr. John Russell.

Grainger, & } Mr. Major Lea.

Glaiborne,

Sumner, & }

Wilson,

Jefferson, }

& Cocke,

Smith, Jackson,

Overton, White,

Warren & Franklin }

Williamson, Rutherford,

Maury and Bedford,

Knox, Mr. Hugh L. White.

Sullivan }

Hawkins,

Sevier, & }

Blount,

Mr. John Kennedy.

Mr. John Kennedy, a member elected from the counties of Washington and Carter, in the room of Jonathan Tipton resigned.

Mr. Samuel Thornton, a member from the counties of Robertson, Montgomery, Stewart, Dickson and Hickman, in the room of Parry W. Humphreys, resigned. And

Mr. William Brown, a member from the counties of Roane, Anderson, Bladsoe, Rhea and part of Campbell, in the room of George Preston, deceased, appeared, produced their credentials, were qualified, and took their seats.

On motion of Mr. Weakly, a message was sent to the house of representatives, informing them that the senate had met, and were ready to proceed to business.

An answer to the above message was received from the house of representatives, informing the senate that they had also convened, and were ready to proceed to business, having appointed Jacob Peck principal clerk, and Richard G. Gillespie assistant clerk.

A message was sent to the house of representatives, informing them that the senate had appointed Messrs. Doherty and Weakly, as a committee on their part, to act with such gentlemen as they might think proper to appoint, to wait on his excellency the governor, and inform him that the legislature had convened, and were ready to receive any communications he might think proper to make, and asking their concurrence.

Received from the house of representatives, a message concurring with the above, and naming Messrs. Dickson, Dardis, White and Young, on their part, to act with the committee named on the part of the senate.

The house adjourned until 3 o'clock, P. M.

The house met according to adjournment.

Mr. Kennedy offered the following resolution, which was read and adopted, to wit:

Resolved, that the rules of proceeding of the former session of this assembly, for the government of this house, be and remain the rules of proceeding at this session.

Mr. Weakly, from the joint committee appointed to wait on the governor, &c, reported, that they had done so, and received for answer, that he would make his communications at four o'clock, P. M. of this day.

Received from the house of representatives a message, informing this house that they had nominated Messrs. Williamson, Kirby and Scott, as a select committee, to act with such gentlemen as this house should appoint, on the petition

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of Thomas G. Bradford, which message was concurred with. Messrs. White and Russell appointed a committee on the part of this house, and a message sent informing the house of representatives thereof.

Received a message from the house of representatives, informing this house that they had nominated Messrs. Haynes, White, Cheatham, Black, Vanbibber and Young, on their part, as a committee of propositions and grievances, to act with such gentlemen as would be appointed by this house, which was non-concurred with, and the following resolution adopted in lieu thereof, to wit:

Resolved, that the standing committees of the last stated session of this general assembly, be, and remain the committees of this session, except in those cases where the respective members thereof, are not at this time, members of either house; a message was sent to the house of representatives informing them thereof, and asking their concurrence.

His excellency the governor, by the honorable Robert Houston, the secretary, made his communication, and with sundry other documents accompanying the same, which being read, ordered, that the communication, together with the letter of the president of the United States, be entered on the journal, which are as follow, to wit:

Mr. Speaker and Gentlemen of the Senate, and

Mr. Speaker and Gentlemen of the House of Representatives,

It has been, fellow citizens, with much reluctance, that I have been prevailed upon at this season to convene the legislature, especially when their private concerns demand the attention of all those engaged in agricultural pursuits. Nothing but an imposing emergency could have induced the measure. Communications from the president of the United States and our delegation in congress, are the basis on which this convocation principally rests.

Many memorials and petitions have been forwarded to the executive during the recess of the legislature, which I shall, with other documents, do myself the honor of laying immediately before you. You will perceive by the tenor of the communications from the president and our delegation, that immediate provision ought to be made for the representation of this state, in the next session of congress, which is to commence on the fourth Monday in May next.

I need not trouble your honorable body on the subject of the militia requesting a suspension of the execution law. Knowing as you do, from every quarter of the state, and being the immediate representatives of the people, you must be much more competent to determine what measures, if any, ought to be taken on that subject; and entertaining no doubt you will act wisely and correctly on such an important case, I deem it unnecessary to trouble you with any advice or recommendation on that subject.

Agreeably to a requisition from the president of the United States for this state's quota of militia, the proper officers have been called upon for their proportions, and I have the pleasure of informing you, that there is exhibited by our fellow citizens such a spirit of patriotism in defence of our country's cause, as evinces that they will very soon be in complete readiness to take the field, should they be called upon. Several embarrassments presented themselves, which induced the executive to delay for a short time, calling on the militia, so early as he would otherwise have done.— Those reasons have been detailed in the general orders which he flatters himself will be deemed reasonable and satisfactory.

Our foreign relations appear to present the same gloomy aspect as heretofore; neither of the belligerents seem to relax in their wanted insults and menaces. So far as my information extends, and public documents develope, the general government have manifested a sincere desire to settle amicably all our existing differences and misunderstandings, but without any effect. It is therefore our indispensable duties to provide all the means in our power for whatever may eventually take place with regard to the unparalleled and embarrassed situation of the nation.

Collisions, foreign and domestic, seem to threaten the interest and tranquility of our country; nevertheless, it is ardently to be hoped, that the good sense of the discontented will finally return, and induce them to discard the idea of disunion, if any such they have ever entertained; otherwise it will be the means of forever destroying the peace and happiness of our once so flourishing, powerful and independent nation. I hope providence will avert such calamity, and that all the wounds yet inflicted, will ere long be healed, and the direful effects of war be avoided. The government of our country have ample resources, and the necessary means, which

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will undoubtedly enable the nation to withstand all and every hostile attempt that may be made or meditated by them on the United States.

In obedience to your resolve of the last session, I have procured the powder authorized; and have also made an engagement for the lead, and shall have deposited an equal quantity of the same, unless otherwise directed, in East and West Tennessee.

Some of our Indian neighbors, the Creeks, have discovered some disaffection and contempt for the government of the United States, and did actually confine for some days, the public post rider on his route to Fort Stoddart, and forbade his returning on the same errand; and it may be expected, that should any collision take place, between the United States and any of the European nations, we shall, as heretofore, find them an implacable enemy.

The people residing south of French Broad and Holston rivers complain of the great scarcity of specie, and they find from experience, that a sum sufficient to pay the installment now due, cannot, in the present embarrassed times be procured. I submit it to your wisdom & paternal care, whether it would be worthy of your consideration, to yield to so respectable a portion of your fellow citizens, such indulgence as might alleviate their present embarrassments. And also, whether it would not be proper to repeal part of an act, entitled, "an act supplementary to an act, entitled, "an act to establish a college in East Tennessee." The second section authorizes the commissioners to purchase the capital stock, or some share or shares of the capital stock of some respectable bank or banking association in the United States, to the amount of such sums as may be by them received.

Would it not be better policy, and of more utility, to indulge the debtors after they have paid their first installments, to pay annually such monies as may afterwards become due, into your own treasury? I allude to such persons as would prefer paying the interest to that of the principal; and whether or not, it would not be more beneficial to retain the capital stock within your own state, than suffer it to be drained off at considerable expence, to some bank or banking association in any other state, however respectable it may be. I humbly presume, that the lands for which those monies are due, would be a better and much more substantial security

than any bank in the United States, were we to say nothing about so large a sum thrown entirely out of circulation, from among our fellow citizens. It may be contended that the dividend or interest will be brought from other States: When we take into view this mode, you will perceive it must be attended with considerable expenditures and contingencies. The irregularity of the profits in banking systems; being sometimes considerable, and at others mere nothing, would render it too precarious, uncertain and hazardous, to depend upon for the support and maintenance of a large literary institution, and the profits that would arise could not in any shape equal the advantages that would be derived by the detention of so large a sum within your own government.

Another most weighty consideration merits your serious attention. History informs us, that the banking associations, perhaps as large as any in Europe, have frequently failed, and there is no security that others may not share the same fate, whereby your stock and others, therein deposited, would be forever irretrievably lost. I am therefore induced to believe, that so large a sum, destined for such wise, benevolent, and important purposes, ought not to be put to hazard, deposited or entrusted beyond the reach of your own eye, and the verge of your own territorial limits. Permit me further, and again to observe, that in no banking institution whatever, would your stock be so safe and secure as in the hands of the people themselves, on whose lands the government would hold a lien.

Under the propitious hand of Providence, the productions of our farms the last season, have been abundantly great. The laws, notwithstanding the great scarcity of money, have been duly regarded and obeyed; and as to political sentiments, there does not appear to be any divisions or factions among us.

From several circumstances, I have great reason to believe that your session will not be of long duration. I therefore deem it unnecessary to trouble you with a further and more detailed communication.

JOHN SEVIER.

Knoxville, April 1809.

President's Letter.

Washington, January 31, 1809.

SIR,

The extraordinary & critical situation of our foreign relations

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one rendering it necessary in the opinion of the national legislature, that their next recess should be short, they have passed an act for a meeting on the fourth Monday of May, of which I enclose you a copy. As the election for representatives in the state of Tennessee would not, in the ordinary course, be in time for this meeting, I have thought it my duty to make you a special communication of this law. That every state should be represented in the great council of the nation, is not only the interest of each, but of the whole united, who have a right to be aided by the collected wisdom and information of the whole, in questions which are to decide on their future well-being.

I trust that your excellency will deem it incumbent on you to call an immediate meeting of your legislature, in order to put it in their power to fulfil this high duty, by making special and timely provision for the representation of their state at the ensuing meeting of congress, to which measure I am bound earnestly to exhort yourself and them. I am not insensible of the personal inconvenience of this special call, to the members composing the legislature of so extensive a state, but neither will I do them the injustice to doubt their being ready to make much greater sacrifices for the common safety, should the course of events still lead to a call for them.

I tender to your excellency the assurances of my high respect and consideration.

TH: JEFFERSON.

H. E. Governor Sevier,

The memorial of the citizens of Blount county, relative to the instalment due for lands on the south side of Holston, &c., was read and referred to the committee who have under consideration that part of the governor's communication.

Mr. Perkins presented the petition of Stephen Childress, praying a reimbursement of monies paid by him as sheriff of Williams county, to the treasurer of West Tennessee, which was read and referred to the committee of claims.

The petitions of sundry inhabitants of the state, praying a suspension of law, &c. was read and referred to the committee of propositions and grievances.

A message was sent to the house of representatives, informing them that this house had appointed Messrs. Kennedy and Yeasly, as a committee on their part, to take under consideration that part of the governor's communication relative

to the representation of this state in the congress of the United States; and Messrs. Wilkinson and Perkins, as a committee to take into consideration that part of the governor's communication, respecting the lands south of French Broad and Holston, &c. to act with such gentlemen as they might think proper to appoint, and asking their concurrence.

The house adjourned until to-morrow 9 o'clock.

T U E S D A Y, April 4th, 1809.

The house met according to adjournment.

Mr. Thornton presented the petition of Reuben Shores, praying the legislature to make him a donation of certain lands unfit for cultivation, for the benefit of iron works which he intends erecting; which was read, referred to the committee of propositions and grievances, and sent to the house of representatives.

On motion of Mr. Kennedy, the following resolution was read and adopted, to wit:

Resolved, that no bill shall be introduced into either house of this assembly for the purpose of passing the same into a law this session, after Monday next. A message was sent informing the house of representatives thereof, and asking their concurrence.

Received from the house of representatives, a message concurring with the resolution of this house continuing the committees of the last session of the legislature.

Mr. Thornton presented the petition of Alisa Paxton, wife of John Paxton. Also, the petition of Mary Ann Gallaher, wife of William Gallaher.

Mr. Russell presented the petition of Samuel Moore, with sundry documents accompanying the same, the substance of which petitions were, praying this general assembly to divorce them from the solemn obligations of the matrimonial vow, which were severally read, referred to the committee of propositions and grievances, and sent to the house of representatives.

Mr. Douglass presented the petition of William and Thomas Anderson, relative to certain claims filed by them before the commissioner of West-Tennessee, for the purpose of obtaining certificates, where two grants had been issued on the same entry, and praying the general assembly to make some provision whereby they may be entitled to procure certificates for said claims, &c.

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Mr. Russell presented a petition of sundry inhabitants of Greene and Cocke counties, praying further time for procuring titles to their occupant claims, which were severally read, referred to the land committee, and sent to the house of representatives.

Received from the house of representatives a message, concurring with the message of this house, appointing Messrs. Kennedy and Weakly a committee on the part of this house, to take into consideration that part of the governor's message relative to the representation of this state in the congress of the United States, and stating that they had appointed Messrs. Blount, Dyer, Bradley and Gunn, a committee on their part to act with the above gentlemen of this house on that subject; also concurring with the appointment of Messrs. Wilkinson and Perkins as a committee on the part of this house, on that part of his excellency's communication, relative to the lands south of Holston, &c. and naming Messrs. Scott, Cocke, Young and Dickson, a committee on their part, to act with those gentlemen on that subject.

The house adjourned until 3 o'clock, P. M.

The house met according to adjournment.

Received from the house of representatives, a bill to repeal an act making provision for the payment of jurors to the county courts, passed December the 4th, 1807.

Also, a bill prohibiting the secretary of state from the collection of certain fees therein mentioned.

Also, a bill to repeal the second section of an act, entitled, "an act allowing and regulating certain officers fees in particular cases, which bills were severally read the first time, passed and sent back to the house of representatives.

Mr. Russell presented two petitions from the officers of cavalry of Washington district, praying an amendment to the militia laws, which were severally read, referred to the committee who have that subject under consideration, and sent to the house of representatives.

Mr. Wilkinson presented a bill to authorize the register of the land office of East Tennessee, to issue a grant for the land including the town of Maryville, which was read the first time, passed and sent to the house of representatives.

Mr. Walton presented a petition of Basil Shaw, jailor of Smith county, praying to be re-imburfed for expences by him incurred as jailor aforesaid, which was read, referred, to the

committee of claims, and sent to the house of representatives.

Mr. Kennedy from the committee appointed for the purpose of taking into consideration that part of his excellency's message relative to the electing representatives to congress, reported,

A bill to provide for an election to elect representatives to represent this State in the congress of the United States; which was read the first time, passed, and sent to the house of representatives.

Mr. Weakly presented the petition of sundry inhabitants of the counties of Davidson and Williamson, relative to building a saw and grist mills, across Big Harpeth river, which was read and referred to the committee of propositions and grievances, and sent to the house of representatives.

Also, the petition of Joel Lewis, praying this general assembly to authorize the commissioner of West Tennessee, to issue certificates to him for certain land warrants sold to him by James Grant, which were adjudged invalid by the aforesaid commissioner, which was read, referred to the land committee, and sent to the house of representatives.

The house adjourned until to-morrow 9 o'clock, A. M.

W E D N E S D A Y, April 5th, 1809.

The house met according to adjournment.

Received from the house of representatives, a bill to provide for an election to elect representatives to represent this State in the congress of the United States, which was read the second time, amended, passed, and sent to the house of representatives.

Also, a bill giving further time for the probate and registration of grants, deeds and other instruments, required by law to be proven and registered, and for other purposes, which was read the first time, passed and sent to the house of representatives.

Mr. Weakly presented a bill to authorize the register of West Tennessee to make out a grant in the name of John Locke.

Also, a bill to authorize the clerk to the commissioner of West Tennessee, to rectify a mistake made by the clerk to the first board of commissioners of said West Tennessee, in issuing a certificate to John Morgan, which bills were severally read the first time, passed and sent to the house of representatives.

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Mr. Kennedy presented the petition of Farlin Ambrose, a man of colour, soliciting the general assembly to grant him the privilege of proving his accounts, which was read, referred to the committee of propositions and grievances, and sent to the house of representatives.

The house adjourned until 4 o'clock.

The house met according to adjournment.

Mr. Thornton introduced a bill to amend an act, entitled, "an act for erecting a court house and prison in the town of Clarksville."

Mr. Perkins introduced a bill to fix the time of holding regimental and battalion musters in the county of Maury.

Mr. Russell introduced a bill to divorce the persons therein named.

Mr. Kennedy introduced a bill for the relief of Farlin Ambrose, of the county of Washington, which bills were severally read the first time, passed, and sent to the house of representatives.

Received from the house of representatives, a bill to repeal an act making provision for the payment of jurors to the county courts, which was read and withdrawn by Mr. Lea for amendment.

Mr. Speaker informed the house, that he had a communication addressed to both branches of the legislature, from Pleasant M. Miller, esquire, relative to the suit now pending in the superior court of Hamilton district, in the name of the governor, against Robert Searcy, esquire, late treasurer of Mero district, and his securities, which was read and ordered to be sent to the house of representatives.

Mr. Russell presented the petition of George Brown, register of Greene county, relative to deeds of conveyance, &c. deposited in his office for registration, &c. which was read, referred to the committee of propositions and grievances, and sent to the house of representatives.

Received from the house of representatives, a bill to repeal the second section of an act, entitled, "an act allowing and regulating certain officers fees in particular cases," passed the 11th of September, 1806, which was read and ordered to lie on the table.

Mr. Walton presented the petition of John Brevard, relative to a military land warrant, &c.

Mr. Russell presented the petition of John Hunter, pray-

ing this general assembly to make him a title to a tract of land in Greene county, which were severally read, referred to the land committee, and sent to the house of representatives.

A message was sent to the house of representatives, informing them that the senate had added Mr. Kennedy to the land committee, and Mr. Thornton to the committee of propositions and grievances, to which a message of concurrence was received from the house of representatives.

The house adjourned until to-morrow 9 o'clock, A. M.

T H U R S D A Y, April 6th, 1809.

The house met according to adjournment.

Mr. Russell presented a certificate of the clerk of Greene county, of the resignation of Hugh Neilson, as a justice of peace of said county.

Mr. Brown presented certificates of the clerk of Roane county, of the resignation of Thomas L. Vandyke and Nathaniel Cox, justices of the peace for said county, which certificates were read, received, and sent to the house of representatives.

Mr. Kennedy presented the petition of sundry inhabitants of Carter county, stating the propriety of the legislature's granting to the proprietors of iron works, lands unfit for cultivation, which was read, referred to the committee of propositions and grievances, and sent to the house of representatives.

The speaker presented to the house the resignation of the honorable Daniel Smith, as a senator of this state, in the congress of the United States, which was read, received, and ordered to be entered on the journal, and is as follows to wit;

South-Well-Point, March 31, 1809.

SIR,

The next session of congress commences so shortly after that which has lately closed, that it will be very inconvenient and difficult for me to attend it; my age, and the degree of infirmity, seems to require some repose. My private affairs loudly call for my attention to them. I have therefore thought it expedient, and I hereby do resign my seat as a senator in the congress of the United States: I declare I would not do so at this time, however I might subsist, were I not to solicit you to appoint a successor who would take care that neither the state, nor the United States should receive any injury.

Please to accept the assurances of my respect and esteem, and through you permit me to request their transmission to the other members of your house.

DANIEL SMITH.

The message of yesterday from the house of representatives, relative to going this day at four o'clock P. M. into the election of a senator in the congress of the United States, and nominating the honorable Joseph Anderson as a candidate was taken up, read, nonconcurrent with, and a message sent to the house of representatives informing them thereof.

On motion of Mr. Russell, the following resolution was read, adopted, and sent to the house of representatives, accompanied by a message informing them thereof, to wit :

Resolved, that the secretary of state be requested to furnish the legislature with all the acts of the general assembly of this state, and those of the other states, as well as the acts of congress and other private books that are in his office, for the use of the general assembly. To which the house of representatives answered by a message of non-concurrence.

Received from the house of representatives a message accompanied by a resolution, that the governor of this state be required to lay before this legislature a report of any proceedings which may have taken place under an act of this general assembly making provision for the extinguishment of the Indian claim to land within the limits of this state, passed December the 3d, 1807 ; whether any sum or sums have been drawn from the treasury in pursuance of said law, and how the same have been appropriated, which was concurred with, and a message sent informing the house of representatives thereof.

Mr. Wilkinson from the committee appointed to take under consideration that part of the governor's communication which has reference to the lands south of French Broad and Holston rivers, &c. reported

A bill for the relief of the citizens south of French Broad and Holston rivers, which was read the first time, passed and sent to the house of representatives.

Received from the house of representatives, a memorial of John Smith T. who resides in the Louisiana territory, praying the legislature to authorize the purchase of a balance of a cargo of lead and shot which he brought by water from St. Genevieve, in said territory ; which memorial appeared to

have been read in the house of representatives, and referred to a select committee of Messrs. Dardis, Doran, Black and Edwards, which was also read in this house, and referred to Messrs. Daherty and Thornton, on the part of the senate, and a message sent to inform the house of representatives thereof.

Received from the house of representatives, the petition of John Faine, relative to a pre-emption of six hundred and forty acres of land, which does not appear to be on the entry taker's book of Davidson county, which petition was read and referred to the land committee.

Received from the house of representatives, a bill to provide for an election to elect representatives of this state, in the congress of the United States, which was read the third time, amended, passed and sent to the house of representatives.

Also, a bill giving further time for the probate and registration of grants, deeds, and other instruments required by law to be proven and registered, and for other purposes, which was read, and on motion of Mr. White withdrawn by him for amendment.

Received from the house of representatives, a bill to fix the time of holding regimental and battalion musters in the county of Maury.

Also, a bill to authorize the register of West Tennessee to make out a grant in the name of John Locke.

Also, a bill to authorize the register of the land office of East Tennessee to issue a grant for the land including the town of Maryville, which bills were severally read the second time, passed, and sent to the house of representatives.

Received from the house of representatives, a bill to amend the law for the regulation of Knoxville, which was read the first time, passed and sent to the house of representatives.

Also, a bill to divorce certain persons therein named, which was read, and on motion of Mr. Douglass ordered to lie on the table.

Received from his excellency a communication as follows:

Mr. Speaker and Gentlemen of the Senate, and

Mr. Speaker and Gentlemen of the House of Representatives,

I have the honor of laying before the legislature a memorial from John and George Lowry, respecting a waggon road

they are now cutting over the the Chattahoochee and Look out Mountains.

JOHN SEVIER.

Which memorial alluded to in the above communication, was read and referred to a select committee of both houses, Mr H. S. Doherty and Walton on the part of the senate. A message was sent informing the house of representatives thereof.

Received from the house of representatives, the petition of William B. Day, praying this general assembly to make provision to satisfy a claim which he has to 320 acres of land, in consequence of his having served as one of the quartermasters the commissaries appointed by the state of North Carolina to run the boundary line of the lands reserved to the officers and soldiers of the continental line.

Mr. Walton presented the petition of Abraham Dutton, claiming a certain quantity of land in consequence of his having served as a hunter to the commissioners in establishing the military boundary.

Received from the house of representatives, the petition of the inhabitants of Smith and Wilcox counties, praying the legislature to grant them a convenient place for the imposition of tobacco.

Also, sundry petitions from the citizens of part of Robertson county, praying to be annexed to Montgomery county.

Also, a petition of the part of the inhabitants of the last mentioned county, praying, that the said county may not be divided, which petitions were severally read, and referred to the committee of propositions and grievances.

Mr. Lee presented a bill to alter the time of laying the poor tax. Mr. Phanton presented a bill to fix the time of holding regimental, battalion and company musters in the county of Hickman. Received from the house of representatives, a bill to rectify a mistake in an act passed last general assembly, entitled, "An act to appoint additional commissioners for the town of Sevierville". Also, a bill to alter the time of holding the courts of pleas and quarter sessions in and for the county of Claiborne, and for other purposes. Also, a bill to alter the names of certain persons therein mentioned; which bills were severally read the first time, and sent to the house of representatives.

Mr. White presented an address of the register of the land office of East Tennessee, accompanied by a map of the district south of the French Broad and Holston rivers, and a letter from the Surveyor General of said district, which were read and referred to the committee of claims.

Received from the house of representatives the petition of Thomas Henderson, relative to five hundred acres of land entered in Armstrong's office.

Also, a petition from the same person, relative to five thousand acres entered in the same office.

Also, sundry petitions from the inhabitants of Grainger county, relative to principal surveyors, registers of land offices, their enormous fees, &c.

Also, the petition of Robert Bell, relative to a grant No. 694, issued from the state of North Carolina to William Tatburn for five hundred acres of land, dated 5th November, 1795

Also, the petition of inhabitants of Cocke county, praying longer time to pay installments on land.

Also, the petition of the inhabitants of Montgomery county, praying the legislature to extend the time of the Commissioners acting; which petitions were severally read and referred to the land committee.

Also, received the petition of sundry persons, praying the general Assembly to authorise the commissioners of the town of Columbia to pay a sum of money to Henry Ruthersford, for surveying the county of Murray.

Also, the petition of Sarah Horton, praying to be divorced from her husband Joseph Horton.

Also, the petition of the inhabitants of Robertson county, praying the assembly to pass a law to exempt Thomas Dixon from the payment of tax required from retail stores, also for retailing spirituous liquors.

Also, the petition of sundry inhabitants of Sumner county, praying the general assembly to pass a law authorising the county court of said county to lay a tax to build a jail in the town of Gallatin, on the ground of David Dugent.

Also, the petition of Rachel Ayler, praying to be divorced from her husband Jonathan Ayler.

Also, the petition of Mary Green, praying to be divorced from her husband John Green.

Also, the petition of the inhabitants of the town of Gallatin,

tin, praying this general assembly to add a tract of land to said town, it being the wish of the persons living within the boundary of said land, and the citizens of said town; which petitions were severally read, and referred to the committee of propositions and grievances.

Also, received the petition of John Smith, relative to a grant for 274 acres of land, No 3340, issued from the state of North Carolina, founded on a military warrant, &c.

Also, the petition of J. M. She n, praying this general assembly to take into consideration his case relative to a claim he has for a land warrant for services done under general Rutherford as a guard, in running the indian boundary line.

Also, the petition of George Martin, Amos Balch, and Richard Martin, relative to 3234 acres of land, entered in John Armitrongs office, &c. Also, the petition of James Baxter, relative to the inconvenience of the present land law.

Also, the petition of Amos Balch, relative to a certificate received from Samuel Barton. Also, the petition of W. Sitzer concerning a claim to a tract of land purchased of F. Kmetz.

Also, the petition of Jones Davis, praying the legislature to make provision for people who have made entries under a law of North Carolina, authorising the secretary to issue grants; which petitions were severally read and referred to the land committee.

Received from the house of representatives the resignations of John Morgan and Thomas Mastin as justices of the peace for Sumner county; which were read and received.

Also, the memorial of John N. Smith, William Cunningham and John Winton, relative to certain land on the south side of Holston and French Broad rivers, donated for the purpose of building meeting-houses thereon, which was read and referred to the committee who have that part of the governor's communication under consideration, relative to the lands south of the above named rivers.

Also, the petition of John Baileys and Thomas Henderson, securities of Ambrose Yancy former clerk of Gai-ge county; which was read and referred to the committee of propositions and grievances.

Also, a bill to amend an act entitled, "An Act for erecting a court house and prison in the town of Clarksville and district of Robertson;" which was read the second time, passed, and sent to the house of representatives.

On motion of Mr. Russell the following resolution was passed and adopted to wit:

Resolved by the Senate, that the Secretary of State be requested to furnish to the Senate chamber for their use, all the acts of assembly of the State of Tennessee, the acts of other States, as well as the laws of the United States and other printed books, journals excepted, that may be in the Secretary's office.

Mr. White, from the committee of engrossed bills, reported a bill to provide for an election to elect representatives of this State in the Congress of the United States, as correctly engrossed.

The house adjourned until tomorrow 9 o'clock, A. M.

FRIDAY, April 7th, 1869.

The house met according to adj. v. m. p. l.

Mr. Lea, who withdrew for amendment a bill to repeal an act making provision for the payment of juries to the county courts, returned the same with a proposed amendment, which was read and received; the bill was then read the second time, passed, and sent to the house of representatives.

Received from the house of representatives a message concurring with the message at this hour, in referring the memorial of John and George Lowry to a select committee, naming Messrs. White, Dixon, Black and Crawford as a committee on their part, to act with the gentlemen on the part of this house.

Received from the house of representatives, a bill to repeal the 9th section of an act authorizing and establishing Overton courts, passed at Knoxville one thousand eight hundred and six, and for other purposes.

Also, a bill authorizing two separate elections in the county of Bedford.

Also, a bill to direct Robert Armstrong of White county to collect taxes therein mentioned.

Mr. Wagoner presented a bill for the relief of those persons who have not obtained deeds for their lands in the town of Claribeg, which bills were severally read the first time, passed and sent to the house of representatives.

Received from the house of representatives: a bill authorizing the clerk of the court of West Tennessee to rectify a mistake made by the clerk of the first board of commissioners of West Tennessee, in issuing a certificate to John

Morgan, which was read the second time, passed, and sent to the house of representatives.

Received from the house of representatives a message, accompanied by a resolution, that his excellency the governor be requested to inform this general assembly, whether he has made any contract for the purchase of the lead authorized to be purchased by a resolution of this general assembly at their last session, and further to specify the nature of such contract, and how far the same may have been carried into effect; which resolution was concurred with, and a message sent to the house of representatives informing them thereof.

Mr. Russell offered the following resolution, which was read and adopted, to wit:

Resolved, that one hundred copies of an act, entitled, "an act to provide for an election to elect representatives to represent this state, in the congress of the United States," be immediately printed, and that the committee appointed at the last session of this general assembly to contract for printing, be authorized to contract for printing of the same. A message was sent to the house of representatives informing them thereof; to which a message of concurrence was received.

Mr. Russell from the committee, alluded to in the above resolution, reported, that the committee had contracted for the printing of the above named number of copies for the sum of five dollars.

Mr. White presented a petition of John Rhea, Esq. relative to a patent grant for six hundred and forty acres of land, &c. which was read and referred to the land committee.

The house adjourned until 4 o'clock, P. M.

The house met according to adjournment.

Mr. Walton presented the petition of William Gibson, praying compensation for attending as a witness in behalf of the state against an Indian, which was read and referred to the committee of claims, and sent to the house of representatives.

Received from the house of representatives a bill for the relief of William Philips.

Also, a bill providing for the more expeditious trial of causes in the county of Blount. Also, a bill to prolong the time of receiving claims by the commissioners of East and West Tennessee, and for other purposes.

Also, a bill to incorporate a water company in the town of Knoxville; which bills were severally read the first time, passed, and sent to the house of representatives.

Also, received a bill to prohibit the secretary of state from the collection of certain fees therein mentioned; which was read, and on motion of Mr. White, was ordered to lie on the table.

Also, a bill to amend an act, entitled, "An act for erecting a court-house and prison in the town of Clarksville a district of Robertson;" which was read the third time, passed and sent to the house of representatives.

Also, a bill to rectify a mistake in an act passed last general assembly, entitled, "An act to appoint additional commissioners for the town of Sevierville."

Also, a bill to fix the time of holding regimental, battalion and company musters in the county of Hickman.

Also, a bill to alter the time of levying the poor tax.

Also, a bill to alter the names of certain persons therein mentioned; which were severally read the second time, passed, and sent to the house of representatives.

Mr. Perkins presented the petition of the inhabitants of part of Williamson county, respecting the line of said county; which was read and referred to the committee of propositions and grievances.

Received from the house of representatives, a petition of Mathew Campbell and Alexander Campbell, relative to an entry which was made in Carter's office, which was read and referred to the land committee.

Received from the house of representatives a message, accompanied by a resolution, that provision be made by law to prevent the collection of judgments by execution, on such terms and conditions as will secure the payment of the same, at a time when the collection of debts will not be attended with a total destruction of the property and estate of the debtor class of the community, and informing the house; that they had appointed on their part as a committee, Messieurs Cocke, Scott, Young and Dyer, to act with such gentlemen as the senate might think proper to appoint; which resolution was concurred with. Messrs. Brown and Thornton, appointed as a committee on the part of this house, and a message sent, informing the house of representatives thereof.

Received from the house of representatives a message, in

forming this house, that they had recommitted the report of the committee appointed on the part of both houses, to take into consideration the memorial of John Smith T. but had concurred with their resolution, requesting the governor to inform this general assembly, whether he has made any contract for the lead authorized by last generally assembly, and if any, what quantity which was concurred with by the house; and a message sent, informing this house of representatives thereof.

The report of the committee above alluded to is in the following words, to wit:

Your committee appointed to take into consideration the memorial of John Smith T. report, that they have had the same under consideration, and recommend the purchase of three thousand weight of lead from John Smith, T. aforesaid, provided it can be had from him on as good terms as elsewhere, and provided the governor has made no specific contract for lead, pursuant to a resolution of the general assembly at its last session.

The house adjourned until to morrow 9 o'clock.

S A T U R D A Y, April 8th, 1809.

The house met according to adjournment.

On motion of Mr Kennedy, the following resolution was read, adopted, and a message sent to the house of representatives, informing them thereof.

Resolved, that the senate meet the house of representatives in their chamber, on Tuesday next at 4 o'clock, P. M. for the purpose of electing a senator to represent this state, in the senate of the United States, for six years, commencing the fourth day of March last; and also, one other Senator to represent this state as aforesaid, in the room of gen. Daniel Smith resigned, for two years, commencing the said fourth day of March; and also, to elect one attorney general for East Tennessee.

Received from the house of representatives, a bill to authorize the register of West Tennessee, to make out a grant in the name of John Locke; read the the third time, passed, and sent to the house of representatives.

Also, a bill to amend an act entitled, "An act, making provision for the payment of jurors to the county courts," which bill was read the third time, passed, and ordered to be engrossed. Also, a bill to amend the law for the regulation of the town of Knoxville.

Also, a bill to divorce the persons therein named; which were read the second time, passed, and sent to the house of representatives.

The honorable Robert Houston, secretary of state, presented a communication from his excellency the governor, which was read, ordered to be entered on the journal, and is as follows:

Mr. Speaker and Gentlemen of the Senate. and

Mr. Speaker and Gentlemen of the House of Representatives.

In compliance with the request of your honorable body contained in your resolution of the 7th instant, it is with pleasure I shall now communicate to you, the information desired, so far as it can be done consistent with the interest of the state.

As soon as I conveniently could, on the rise of the legislature I endeavored to devise a plan to give effect to the object of the general assembly held in view. I accordingly selected general James Robertson as a character most suitable to act as an agent on behalf of this state, and determined that I would, in person, attend to any meeting which could be brought about for the purpose of extinguishing the indian claim. So soon as it was ascertained that colonel Meigs had been appointed by the United States to make a treaty, I commenced, and have continued a correspondence with him and general Robertson; and we have mutually endeavored to pursue the only course calculated in our judgment, to produce a beneficial result. I have the pleasure to inform the general assembly, that we anticipate, with a considerable degree of confidence, that we shall succeed in extinguishing the indian claim to nearly the whole of the land contemplated in the act of assembly, unless our plans are rendered abortive by a premature disclosure of the plan we have determined to pursue, and the means we have intended to use.

To produce a disposition on the part of the indians to dispose of the lands, must, in such cases, always be the object of those appointed to negotiate. To bring about this disposition agents must be employed; those agents cannot be had without money, nor can their efforts be successful, unless accompanied and supported with funds. I have drawn from the treasury of Washington and Hamilton districts, one thou-

ard dollars, and I have given to general Robertson, a draft for four hundred dollars. A part of the sum drawn by me has been appropriated to the purchase of articles and supplies which will be indispensable in holding a treaty a part of the sum is yet unapplied, and certain parts of it have been applied in a manner not to be disclosed without to a certainty defeating an object which seems to be dear to the legislature, and in which I feel myself as much interested as any thing ever committed to my care. I have to lament, that in the vicinity of the Cherokees, some of our own citizens, who have by their traffic with the Indians, increased their property to a considerable extent, and now consider their future prospects will be entirely blasted, should the Indian title be extinguished, and certain interests which they now exclusive hold in the nation, become extinct, and those lands in common with the other parts of the country be made liable to the disposition of the legislature, have always been, and no doubt yet are anxiously engaged to defeat the accomplishment of an object which would be of the highest importance to their country, and to me it appears that nothing could so much contribute to aid their views, as a full disclosure of the plan adopted; the means which have been and must be used to obtain the treaty. When my endeavors shall have had a successful issue, or a hope of succeeding have disappeared, I stand pledged to my country, that my plans will be ascertained to have been judicious, no money unnecessarily applied, or no pains on my part spared to accomplish an object of the last importance to the strength and respectability of the state. In the mean time, should your honorable body wish any farther assurance that I may lately be intrusted in this business, I solicit a committee of your honorable body, to be appointed, to whom I will disclose the measures that have been pursued, and in whole report the legislature can safely confide.

I have the honor to be,

With great respect and high esteem,

Your obedient humble servant

JOHN SEVIER.

Received from the house of representatives, a bill to prohibit the secretary of state from the collection of certain fees therein mentioned, which was read and ordered to lie on the table.

The house adjourned until Monday morning, 9 o'clock.

M O N D A Y, April 10th, 1809.

The house met according to adjournment.

Mr. Kennedy presented the petition of Thomas Jackson, and Francis Maybury, respecting a land warrant, &c.

Mr. Weekly presented a petition of Thomas E. Sumner, relative to certain claims to land, &c.

Mr. Brown presented the petition of a number of inhabitants of the county of Rhea, praying for a longer time to be given to occupants, to secure their lands, &c. All the petitions were severally read, referred to the land committee, and sent to the house of representatives.

Mr. Russell presented the petition of Elizabeth Otto, praying a divorce.

Mr. Douglass presented a petition from sundry citizens of Sumner county, praying a repeal of the law giving fees to the justices of the peace, &c.

Also, a petition of sundry merchants of West Tennessee, relative to tax paid by merchants and sailors. All the petitions which were severally read, referred, to the committee of propositions and grievances, and sent to the house of representatives.

Mr. Weekly presented a bill making provision for Edward H. Cho, jailer of Davidson county.

Mr. Leo presented a bill for the relief of Mathew Campbell and Alexander Campbell.

Received from the house of representatives a bill concerning Thomas Dixon of Robertson county.

Also, a bill for the relief of Samuel Tinsville.

Mr. Brown presented a bill to enter and establish the true boundary line between the counties of Blaine, Rhea and Loudon.

Received from the house of representatives a bill supplementary to an act entitled, "an act to secure the free navigation of the Kentucky river," passed at Knoxville, December the 3d, 1807.

Also, a bill to amend an act entitled, "an act for the inspection of tobacco," passed October 26th, 1799, and

Also, to amend an act entitled, "an act to prevent the exportation of unmerchantable commodities," passed November 14th, 1801.

Also, a bill to repeal part of an act entitled, "an act to

appoint commissioners, and to vest them with power to sell the public lot and jail in front of the court-house, in Roger'sville, and for other purposes.

Also, a bill to authorize sheriff's or their deputies to administer oaths in certain cases.

Also, a bill to make good and valid the record and registration of deeds therein referred to.

Mr. Kennedy presented a bill to exempt the manufacturers of paper from doing militia duty, or working on roads; which bills were severally read the first time, passed, and sent to the house of representatives.

Received from the house of representatives, a bill to authorize Robert Armstrong of White county, to collect taxes therein mentioned.

Also, a bill for the relief of those persons who have not obtained deeds for their lots in the town of Carthage.

Also, a bill to repeal the ninth section of "an act, authorizing and establishing Overton county," passed at Knoxville, in 1806, and for other purposes.

Also, a bill for the relief of the citizens south of French Broad and Holston.

Also, a bill to alter the present dividing line, between White and Overton counties.

Also, a bill authorizing three separate elections in the county of Bedford, which bills were severally read the second time, passed and sent to the house of representatives.

Received from the house of representatives, a bill authorizing the commissioner of West Tennessee, to rectify a mistake made by the clerk to the first board of commissioners of said West Tennessee, in issuing a certificate to John Morgan.

Also, a bill to alter the time of laying the poor tax, which bills were severally read the third time, passed, and sent to the house of representatives.

Also, a bill to fix the time of holding regimental and battalion musters in the county of Maury, which was read the third time, amended, passed and sent to the house of representatives.

Also, a bill to rectify a mistake in an act passed last general assembly, entitled, "an act to appoint additional commissioners for the town of Sevierville."

Also, a bill to alter the names of the persons therein mentioned, which bills were read the third and last time, passed, and ordered to be engrossed.

Also, a bill to incorporate a water company in the town of Knoxville; which was read, and on motion of Mr. Kennedy, withdrawn by him for amendment.

Mr. White presented the petition of James Forgey, relative to an entry made in Carter's office, which was read, referred to the land committee, and sent to the house of representatives.

Mr. Weakly presented a petition of David Shelby and C. Stump, relative to building a bridge across Cumberland river at Nashville, which was read, and on motion ordered, that Mr. Weakly have leave to bring in a bill embracing the prayer of said petition, which petition was then sent to the house of representatives. Received from the house of representatives, a bill to fix the time of holding regimental, battalion and company musters in the county of Hickman, which was read the third time, passed and sent to the house of representatives.

Mr. Doherty from the committee appointed to take into consideration the memorial of John Lowry and George Lowry, requesting a road cut by them from the head of Stone's river, to intersect the great road to Georgia through the Cherokee nation; reported, that they had the same under consideration, and that the said road may be materially advantageous to the State of Tennessee, and that the memorialists are entitled to a compensation for their exertions, &c. but unable to ascertain what that compensation ought to be, recommended the adoption of the following resolution:

Resolved, by the senate and house of representatives, of the State of Tennessee, that his excellency the governor be required to appoint two commissioners, to examine the road cut by John and George Lowry, from the head of Stone's river through the Cherokee nation, to intersect the great road leading to the State of Georgia, and report the condition of the said road to the next general assembly.

GEORGE DOHERTY, Chairman.

Which report was read, concurred with, and sent to the house of representatives.

The house adjourned until 4 o'clock, P. M.

The house met according to adjournment.

Mr. Thornton, presented the petition of Josiah Ship and Esther Ship, praying to be divorced.

Received from the house of representatives, a petition of the inhabitants of Franklin county, concerning said county.

Also, the petition of Barbary Smith, praying a divorce.—

Also a petition of the inhabitants of part of Bedford county, stating their inconvenience to the place of holding courts.

Also, a petition from the inhabitants of the same county, stating the impropriety of a petition presented to this general assembly, praying to have said county divided.

Also, the petition from the inhabitants of Nashville, concerning cotton gins.

Also, a petition of sundry citizens of the state, relative to suspending executions, a repeal of the judiciary system, &c. which several petitions were read, and referred to the committee of propositions and grievances.

Mr. Russell presented a bill to amend the law in force for keeping roads in repair, which was read the first time, passed and sent to the house of representatives.

Mr. Perkins presented a petition of Vance Greer, respecting state tax by him received as deputy sheriff of Bedford county, which was unfortunately stolen from him, which was read, referred to the committee of claims and sent to the house of representatives.

Received from the house of representatives a petition of the inhabitants of Elk river, relative to occupant claims.

Also, a petition on the same subject from sundry citizens, which were severally read & referred to the land committee.

A memorial of William Moore, relative to printing, &c. was received and read.

Received from the house of representatives the memorial of the trustees of East Tennessee college, with a message accompanying the same, informing this house that they had referred said memorial to a select committee, and nominating Messrs. Dardis, Mitchell, Black and Blount on their part, to act with such gentlemen as this house shall appoint; which was concurred with by this house, and Messrs. Perkins and Kennedy named as a committee on the part of the senate, to act with the above named gentlemen, and a message sent informing the house of representatives thereof.

Also, a message, proposing to go into an election this evening, at four o'clock, P. M. to elect one senator in the Congress of the United States, for six years from the 1st of March last, and nominating the hon. Joseph Anderson, and his excellency John Sevier, as candidates; and

immediately thereafter to elect one senator to represent the state in the congress of the United States, for two years from said date; in the room of general Daniel Smith, resigned, and nominating as candidates Jenkin Whiteside, esq. and general James Winchester; and immediately thereafter, to elect an attorney general for East Tennessee, in the room of John F. Jack resigned, and nominating David Yearly and Enock Parsons, esquires, as candidates, and requesting the attendance of the senate in the chamber of the house of representatives, for the above purpose; which message was non-concurred with, but in lieu thereof, a message to the following effect was sent to the house of representatives, and asking their concurrence, to wit:

That the senate meet the house of representatives in their chamber on to-morrow, at ten o'clock, A. M. for the purpose of making the appointments stated in the preceding message, but instead of going into the election to elect a senator for six years, &c. in the first place propose going into that of the senator for two years, &c. and then the senator for six years, &c. and next the attorney general, and naming Messieurs Weakly and Russell as tellers on the part of this house; to which a message of concurrence was received, and Messrs. Blount and Dardis named as tellers on the part of the house of representatives.

The house adjourned until to-morrow 9 o'clock, A. M.

T U E S D A Y, April 11th, 1809.

The house met according to adjournment.

In conformity of a resolution of both houses, the speaker and gentlemen of senate retired to the representatives chamber, for the purpose of electing two senators to congress and an attorney general for East Tennessee, when both houses of the legislature proceeded to balloting for a senator to fill the vacancy of general Daniel Smith resigned. Jenkin Whiteside, esquire, and general James Winchester being previously put in nomination, Messrs. Weakly and Russell on the part of the senate, and Messrs. Black and Dardis on the part of the house of representatives, being appointed to superintend the balloting, and on counting out the ballots, it appeared, that Jenkin Whiteside, esq. had twenty-two, and general James Winchester, sixteen votes. The houses then proceeded to the election of a senator in the congress of the United States, for six years from the fourth day of March

last; when Joseph Anderson and John Sevier, esquires, were nominated as candidates; the same gentlemen as above superintended the balloting, when on counting out the votes, it appeared that Joseph Anderson, Esq. had twenty-three, and John Sevier, Esq. sixteen votes. The senate and house of representatives then proceeded to elect an attorney general for East Tennessee, when Enoch Parsons and David Yearly, esq. were put in nomination, the same gentlemen superintended the balloting, and on counting out the ballots, it appeared that Enoch Parsons, esq. had twenty-three, and David Yearly, esq. sixteen votes; whereupon the speaker of the senate, in presence of both houses, declared Jenkin Whiteside, esq. to be duly elected a senator to represent this state in the congress of the United States for two years, commencing on the fourth of March last, also, that Joseph Anderson esq. was duly elected a senator to represent this state in the congress of the United States, for six years, commencing on the said fourth day of March last, and that Enoch Parsons, esq. was duly elected attorney general for East Tennessee. The speaker and gentlemen of the senate returned to the senate chamber.

Mr. Wilkinson presented a bill to alter a part of the line between Blount and Sevier counties, and for the relief of William Davis and John A. Wolf.

Received from the house of representatives, a bill for the present relief of John Eatis and Thomas Henderson, which bills were severally read the first time, passed and sent to the house of representatives.

Also, received a bill to authorize the register of the land office for East Tennessee, to issue a grant for the land including the town of Maryville, and for other purposes, which was read the third time, amended, passed, and sent to the house of representatives.

The honorable Robert Houston, secretary, presented a communication of his excellency the governor, which was read, referred to the committee who have the memorial of John Smith T. under consideration, and sent to the house of representatives.

Received from the house of representatives, a message proposing an amendment to a bill to authorize the register of West Tennessee, to make out a grant in the name of John Locke, which bill was on its third and last reading in said

house, and requesting this house, should it agree to said amendment, to send two of its body to see the same made.— The amendment proposed to be made is in the following words, to wit:

Provided nevertheless, that nothing in this act contained shall injure the right or title of any other person who may have a claim for said tract of land, or any part thereof, under the laws of this state, which would be good and valid in law before the passing of this act. Which message was concurred with. M. Mrs. Weakly and Brown appointed to see the amendment made, and a message sent informing the house of representatives thereof.

A message was sent to the house of representatives, proposing that both houses of this legislature adjourn until four o'clock, P. M. of this day, in order that, the different committees may have time to set, and asking their concurrence. In answer to which, a message of concurrence was received from the house of representatives.

The house adjourned until 4 o'clock, P. M.

The house met according to adjournment.

The house adjourned until to morrow 9 o'clock, A. M.

W E D N E S D A Y, April 12th, 1809.

The house met according to adjournment.

On motion of Mr. Kennedy, the following resolution was read, adopted, and a message sent informing the house of representatives thereof, to wit:

Resolved, That the attorney-general of East Tennessee, be directed to institute a suit against Robert Searcy, late treasurer of West Tennessee, on his bond as treasurer for the years 1800 and 1801, for the sum of money, for which he stands indebted to the state for those years.

Mr. Perkins from the committee of propositions and grievances, made the following reports, to wit:

That the petition of sundry citizens of this state, praying the legislature to devise some laudable plan for the relief of the distressed class of citizens, who, from the peculiar difficulty of the times are unable to meet their contracts.

That the petition of William Cartwright, praying to be divorced from his wife, Polly Cartwright. Or Abigail Aiken, praying to be divorced from her husband Bailey Aiken. Or Elizabeth Warren, praying to be divorced from her husband James Williams. Or Alice Paxson, praying to be di-

divorced from her husband John Paxton. Of Rachel Oyler, praying to be divorced from her husband Jonathan Oyler.— Of Samuel Moore, praying to be divorced from his wife Anne Moore. Of Mary Edwards, praying to be divorced from her husband Lewis Edwards. Of Sarah Horton, praying to be divorced from her husband Joseph Horton. Of sundry citizens, praying that the county court of Sumner be authorized by law, to lay a tax for the building of a jail in the town of Gallatin, on the ground of David Dement, and the petition of John Estes and Thomas Henderson, praying indulgence for the payment of a sum of money, for which they have become accountable as securities, in consequence of the failure of Ambrose Yancy, former clerk of Grainger county, are reasonable, and ought to be granted.

Also, that the petition of sundry inhabitants of Davidson and Williamson counties, praying that Lewis Demoss be privileged to build a dam across Big Harpeth, for the purpose of erecting a grist and saw mill, is reasonable, provided said Demoss be required to construct a slope in said dam, which shall be sufficient for the safe passage of boats.

And that the petition of persons praying a remuneration to John Lindsay, Joseph B. Porter, Gideon Pillow and Peter R. Booker, of a sum of money by them expended, in procuring a survey of that tract of country, which now compose Maury county.

The petition of John Humphreys and Thomas Humphreys, praying to be released from the inhospitable walls of the prison of Hamilton district, in which they are confined under the sentence of the law.

The petition of Reuben Shores and sundry inhabitants of Hickman and Dickson counties, praying the condemnation of three thousand acres of land, for the use of a bloomery, proposed to be erected by the said Shores, on Mill creek, and the petition of Mary Anne Gallaher and others, praying that she, Mary Anne Gallaher might be divorced from her husband William Gallaher, are unreasonable, and ought not to be granted. Which reports were severally read, concurred with, and sent to the house of representatives.

Mr. Brown introduced a bill to authorize Isaac S. McMeans, to erect a turnpike road. Also, a bill to authorize and establish regimental and battalion musters in the counties of Rhea and Blaine.

Received from the house of representatives, a bill to regulate the publishing of public advertisements.

Also, a bill respecting contracts for property.

Mr. Russell introduced a bill to amend an act, entitled, "an act to authorize Isaac B. Lee and Thomas Wilton to erect a turnpike on a certain road therein mentioned," passed at Knoxville, the 7th day of November, 1803.

Received from the house of representatives, a bill concerning executions, and for other purposes.

Also, a bill to authorize sheriffs to take bail in certain cases, which were severally read the first time, passed and sent to the house of representatives.

Received from the house of representatives, a petition from the inhabitants of Rutherford county. Also, a petition of sundry inhabitants of Cooke county, relative to the inspection of executions, &c. which were read and ordered to be laid on the table.

Mr. White presented the petition of John Bright, relative to expenses by him incurred as jailor of Knox county, which was read, referred to the committee of claims and sent to the house of representatives.

Mr. Brown presented a petition of sundry inhabitants who have settled over the Indian boundary line, which was read, referred to the land committee, and sent to the house of representatives.

Mr. White who withdrew for amendment, a bill giving farther time for the probate and registration of grants, deeds, and other instruments required by law to be proven and registered, and for other purposes, returned the same with proposed amendment, which was read and received; the bill was then read the second time, amended, passed, and sent to the house of representatives.

Received from the house of representatives, a bill to authorize Robert Armstrong of White county; to collect taxes therein mentioned.

Also, a bill to repeal the 9th section of "an act authorizing and establishing Overton county," passed at Knoxville, 1806, and for other purposes.

Also, a bill to alter the present dividing line between White and Overton counties, which bills were severally read the third and last time, passed and ordered to be engrossed.

Also, a bill for the relief of Samuel Turbville. Also, a bill concerning Thomas Dixon of Robertson county.

Also, a bill to alter and establish the true boundary line between the counties of Roane, Rhea, and Bladsoe.

Also, a bill to amend an act, entitled, "an act for the inspection of tobacco," passed October 26th 1799; and also, to amend an act entitled "an act to prevent the exportation of unmerchantable commodities," passed November 14th, 1801.

Also, a bill to authorize sheriffs or their deputies to administer oaths in certain cases, which bills were severally read the second time, passed, and sent to the house of representatives.

Also, a bill providing for the more expeditious trial of coveyants in the county of Blount, which was read, and on motion withdrew by Mr. Wilkinson for amendment.

Also, a bill to prolong the time for receiving claims by the commissioners of East and West Tennessee, and for other purposes, which was read, and on motion withdrew by Mr. Kennedy for amendment.

The house adjourned until to-morrow 9 o'clock.

T H U R S D A Y, April 13th, 1809.

The house met according to adjournment.

Mr. Walton presented a petition of sundry inhabitants of West Tennessee, praying the law to be repealed, relative to giving justices of the peace fees, which was read and sent to the house of representatives.

Mr. Weekly presented a certificate of the resignation of John Nichols, John Anderson, and John Winkles as justices of the peace for Davidson county, which was read and ordered to be sent to the house of representatives.

Mr. Russell offered the following resolution, which was read, adopted, and a message sent to the house of representatives thereof, and also a concurrence to wit:

Resolved, That the trustees of East Tennessee be requested to lay before this general assembly, a statement of the amount of monies paid into the treasury on the sale of lands both of French Broad and Holston rivers, distinguishing as far as practicable the price for the use of colleges and academies from each other, and also the received from other lands, and the amount of interest on each. In answer to which resolution a message of concurrence was received from the house of representatives.

Mr. White introduced a bill to establish the dividing line

between the surveyor of the third and fourth district and for other purposes.

Mr. Douglass introduced a bill to authorize David Shelby and Christopher Stump, to build a toll bridge over Cumberland river.

Mr. Thordston introduced a bill to provide for the payment of a detachment of militia called into service for the protection of the frontiers of Stewart county, which bills were severally read the first time, passed, and sent to the house of representatives.

Received from the house of representatives, a message accompanied by a resolution, that no bill be received by either house of this general assembly after to morrow. Which was read and ordered to be laid on the table.

Mr. Brown presented the petition of Isaac M'Pherson, praying to be allowed for expenses incurred, in conveying Thomas Cannel, a prisoner from the county of Roane to the jail of Hamilton district, which was read, referred to the committee of claims, and sent to the house of representatives.

Received from the house of representatives, a message proposing to refer the bill concerning executions, and for other purposes, to the committee of both houses, appointed to act on the resolution for suspending executions; which was concurred with by this house, and a message sent to the house of representatives informing them thereof.

Also, received a message accompanied by a resolution, that the attorney general of East Tennessee, and P. M. Miller, esq. be directed to enquire what testimony will be necessary to produce on behalf of the state in the suit now pending in Hamilton district against Robert Searcy and his securities, and they be directed to communicate the same to the attorney general of West Tennessee, whose duty it shall be to obtain the said testimony to far as in his power or contract with suitable persons to obtain the same, at the expence of the state, and send forward all written testimony by him obtained, to the next term of said court, and summon all such witnesses as may be required to attend said term, which was concurred with by this house, and a message sent informing the house of representatives thereof, and proposing in the message of this date, that each of the attorneys above named be furnished with a copy of this resolution, to which last

proposition a message of concurrence was received from the house of representatives.

The house adjourned until 3 o'clock, P. M.

The house met according to adjournment.

A message was sent to the house of representatives, informing them that the senate had taken up for the third and last reading, a bill to amend the law for the regulation of Knoxville, and proposing to amend the same by inserting the word "last," immediately after the word "the," in order to make it read thus: "the last Saturday in the month;" and requesting them, should they agree to this amendment, to send two of their body to see it made.

In answer to which, a message was received from the house of representatives, concurring with the amendment proposed by this house, and stating that they had appointed Messrs. Trimble and Williamson to see it made. The said bill was then read the third and last time, amended, passed, and ordered to be engrossed.

Received from the house of representatives, a bill authorizing three separate elections in the county of Bedford.

Also, a bill to alter the time of holding the courts of pleas and quarter sessions in and for the county of Claiborne, which bills were read the third and last time, passed, and ordered to be engrossed.

A bill to prohibit the secretary of state from the collection of certain fees therein mentioned was taken up and read and on motion to strike out the second section of said bill, the yeas and nays were as follow:

Yeas—Messrs. Weakley, Lea, Walton, White, Douglass, Perkins, Thornton and Kennedy—8.

Noes—Messrs. Brown, Russell, Doherty & Wilkinson—4.

Which section above alluded to, is in the following words:

"Be it enacted, That it shall not be lawful for the secretary of state to demand or receive any other fee than the sum of twelve and one half cents, for each grant which may have heretofore been sealed with the great seal of the state, signed by the governor, and issued in conformity with the laws of this state." The said bill was then read the second time, amended, passed, and sent to the house of representatives.

Received from the house of representatives, a bill to authorize the register of East Tennessee to issue grants in certain cases, therein mentioned and for other purposes.

Also, a bill for extending further indulgence to occupants

Also, a bill supplementary to an act, entitled, "an act for the regulation of the town of Franklin."

Also, a bill to open and keep in repair a turnpike road over Walden's ridge and Cumberland mountain.

Also, a bill to amend an act passed at the last session of the general assembly, entitled, "an act supplementary to an act entitled, an act to establish a college in East Tennessee, which bills were severally read the first time, passed, and sent to the house of representatives.

Mr. Russell presented the petition of sundry inhabitants of Greene county, relative to occupants, which was read, referred to the land committee, and sent to the house of representatives.

Mr. Kennedy who withdrew for amendment a bill to incorporate a water company in the town of Knoxville, returned the same, which was then read the second time, amended, passed, and sent to the house of representatives.

Received from the house of representatives, a bill to annex the land therein described, to the town of Gallatin, in the county of Sumner, which was read the first time, passed and sent to the house of representatives.

Also, a bill supplementary to an act, entitled, "an act to secure the free navigation of Nolichucky river," passed at Knoxville, December 3d, 1807, which was read the second time, passed and sent to the house of representatives.

Also, a bill to amend an act, entitled, "an act for the inspection of tobacco," passed October 26th, 1799. And also to amend an act, entitled, "an act to prevent the exportation of unmerchantable commodities," passed Nov. 14th, 1801.

Also, a bill concerning Thomas Dixon, of Robertson county, which were read the third and last time, passed, and ordered to be engrossed.

Also, a bill to alter and establish the true boundary line between the counties of Roane, Rhea and Bledsoe, which was read the third time, passed, and sent to the house of representatives.

The house adjourned until to morrow 9 o'clock.

F R I D A Y, April 14th, 1809.

The house met according to adjournment.

Mr. Weakley introduced a bill granting relief to Simeon Buford, as therein expressed.

Also, a bill to amend an act, to order the transcribing certain entries or documents therein mentioned, passed at Knoxville, September 11th, 1806.

Also, a bill making good the registration of all deeds heretofore registered by the different registers of Davidson county.

Mr. Thornton introduced a bill to authorize the governor to furnish blank commissions in military cases.

Received from the house of representatives, a bill in addition to an act, entitled, "an act for the appointment of a register of the land office, and providing for the sale of the lands south of French Broad and Holston, agreeable to the constitution of this state, and the provisions of the acts of congress therein referred to," passed September 6, 1806, which bills were severally read the first time, passed and sent to the house of representatives.

Mr. Perkins from the committee of propositions and grievances, reported as follows :

The committee to whom was referred the petition relative to annexing a part of Williamson county to that of Bedford county ; and also, a petition for annexing part of the county of Bedford to that of Franklin, beg leave to report, that they do not conceive it expedient or requisite, to interfere with the division of any county whatever, during the present session. Which is respectfully submitted.

NICHOLAS T. PERKINS, Ch.

Which report was concurred with by this house, and sent to the house of representatives.

Mr. Perkins from the committee of propositions & grievances, made the following reports, to wit :

That the petition of Josiah Ship and Fisher Ship, praying to be divorced from each other.

The petition of Barbary Smith, praying to be divorced from her husband Reuben Smith.

The petition of Mary Green, praying to be divorced from her husband John Green.

The petition of Elizabeth Orto, praying to be divorced from her husband Frederick Orto. And,

The petition of sundry citizens, praying the law laying a tax on the retailers of merchandize, be repealed, are unreasonable, and ought not to be granted.

And that the petition of Susannah Sevier, praying to be divorced from her husband John Sevier, is reasonable.

And that the petition of sundry justices of the peace of Sumner county, praying the law relative to the payment of justices of the peace in certain cases, be repealed; and further altering the law, so as to authorize plaintiffs to hold their own judgments, is reasonable, so far as respects the payment of the justices of the peace; but unreasonable, as it relates to the plaintiffs holding their own judgments. Which reports were severally read, concurred with, and sent to the house of representatives.

Also, that the petition of sundry inhabitants of Carter county, praying that three thousand acres of land be condemned for the benefit of the proprietors of each set of iron works in this state, and the petition of George Brown, register of Greene county, praying that provision be made by law, pointing out the mode of collecting the tax upon a number of deeds of mine conveyance, registered in his office are unreasonable, and ought not to be granted. Which were non-concurred with by this house and sent to the house of representatives.

The house adjourned until 3 o'clock, P. M.

The house met according to adjournment.

Received from the house of representatives, a petition of John Cunningham, praying for a divorce.

Also, a petition of Richard Cureton, praying the privilege of receiving toll from persons passing over a bridge which he has erected across Lick creek, and also a petition of Obadiah Powell, relative to a turnpike road from Cumberland mountain to Elk and Flint rivers.

Also, a petition of Cynthia L. Gals, praying for a divorce, which were severally read and referred to the committee of propositions and grievances.

A message was sent to the house of representatives, informing them, that the senate had taken up for the third and last reading, a bill to authorize sheriffs or their deputies, to administer oaths in certain cases, and proposing to amend the same by striking out the words military officers, and to insert the words as follows, to wit:

“Governors, members to congress, members to the general assembly, electors to elect president and vice president, and militia officers, and requesting them, should they agree to said amendment, to send two of their body to see it made; in answer to which, a message was received from the house

of representatives concurring with the above message of this house, and stating that they had appointed Messieurs Cocke and Dardis to see the amendment made, the said bill was then read the third and last time, amended, passed, and ordered to be engrossed.

Received from the house of representatives, a bill for the relief of those persons who have not obtained deeds for their lots in the town of Carthage, which was read the third time, passed and sent to the house of representatives.

Also, a bill for the relief of Samuel Parbville, which was read the third and last time, passed and ordered to be engrossed.

Mr. Wilkinson who withdrew for amendment, a bill providing for the more expeditious trial of caveats in the county of Blount, returned the same with a proposed amendment, which was read and adopted, the said bill was then read the second time, amended, passed, and sent to the house of representatives.

Mr. Thornton, presented a petition of the inhabitants of the county of Stewart, praying this general assembly to grant them a new county, which was read, referred to the committee of propositions and grievances, and sent to the house of representatives.

The house adjourned until to-morrow 9 o'clock, A. M.

SATURDAY, April 15th, 1809.

The house met according to adjournment.

Received from the house of representatives, a bill to authorize the county courts to remit taxes in certain cases, which was read the first time, passed, and sent to the house of representatives.

Also, a bill to authorize sheriffs to take bail in certain cases.

Also, a bill to establish the dividing line between the surveyors of the third and fourth districts and for other purposes.

Also, a bill granting relief to Simeon Buford as therein expressed.

Also, a bill to amend an act entitled "an act to order the transferring certain entries and documents therein mentioned," passed at Knoxville, September 14th, 1806, which bills were severally read the second time, passed and sent to the house of representatives.

A bill for the relief of the citizens South of French Broad.

and Holston rivers was taken up and read and on motion Mr. Kennedy, ordered to lie on the table, until Monday next.

Received from the house of representatives an account of the secretary of state for stationary furnished by him, for the use of the office, for postage paid, &c.

Also, the claim of Andrew M. Lust, clerk of the commissioner for East Tennessee for stationary, &c, which were read and referred to the committee of claims.

Also, received a bill to authorize David Shelby and Christopher Stump, to build a toll bridge over Cumberland river which was read the second time, amended, passed and sent to the house of representatives.

Mr. Russell introduced a bill to explain a part of the second section of an act entitled, "an act to define the jurisdiction of justices of the peace, and for other purposes therein mentioned." passed November 6th, 1801.

Also, a bill to repeal the sixth and seventh sections of an act passed at Knoxville, the 3d day of December, 1807. entitled, "an act, supplementary to an act entitled "an act for the better establishment and regulation of the militia of this State," passed at Knoxville, the 5th day of November, 1803, which were severally read the first time, passed, and sent to the house of representatives.

The house adjourned until 3 o'clock.

The house met according to adjournment.

Mr. White from the committee to whom was referred the memorial of T. G. Bradford, relative to his publishing a revision of the laws in force &c in this State, and soliciting the general assembly to take three or four hundred copies thereof for the use of the State, have had the same under consideration, and are aware of the great benefits that would result to this State, from having its laws placed in such situation that every citizen could become acquainted with their contents, and have to regret that they are not in possession of such information as will enable them to form an opinion whether the proposed revision will be on such a plan, as to be generally useful or not. They therefore recommend the adoption of the following resolution:

Resolved, that it is not expedient for this general assembly to authorize or to subscribe for any copies of said proposed revision, until the general assembly shall have such

information as will satisfy them that its publication will be beneficial to this state. Which was read, concurred with, and sent to the house of representatives.

On motion of Mr. Weakly a resolution was adopted, that no bills either of a public or private nature, shall be admitted to be introduced into either House of this general assembly, to be acted on this session after Monday next, a message was sent to the house of representatives informing them thereof, and asking their concurrence in answer to which, a message of concurrence was received from the house of representatives.

Mr. Russell introduced a bill to authorize Richard Cureton of Greene county, to receive toll at a certain bridge therein named, which was read the first time, passed, and sent to the house of representatives.

Received from the house of representatives, a bill for the present relief of John Ellis and Thomas Henderson.

Also, a bill making good the registration of all deeds heretofore registered by the different registers of Davidson county, which were read the second time, passed, and sent to the house of representatives.

Also, a bill supplementary to an act entitled, "an act to secure the free navigation of Nolichucky river," passed at Knoxville, December 3d, 1807, which was read the third and last time, passed, and ordered to be engrossed.

The house adjourned until Monday morning, 9 o'clock.

M O N D A Y; April 17th, 1809.

The house met according to adjournment.

Received from the house of representatives, a message informing this house, that they had taken up for the third and last reading, the bill to authorize the register of the land office for East Tennessee, to issue a grant for the land, including the town of Maryville and for other purposes, and proposing to amend the same, by adding to the first section immediately after the word "place," and the words

"And provided also, that said grant shall not vest in said grantee any right or title to any or either of the lots in said town, which were separately surveyed at any time heretofore, by the owner, claimant or occupier of said lot or lots; and that nothing in this act contained, shall in any wise impair or injure the right or rights of any person or persons claiming any of said separately surveyed lots, and shall in no

manner injure or prevent the rightful owner or claimant of any of said lots from obtaining any survey or grant hereafter, for any of said lots, according to the existing laws of this State, and that it shall be sufficient evidence of the lots to which the said grant does not convey title, that said lot or lots were surveyed before this time, and said survey recorded in the surveyor general's office of said district," and requesting this house, should it agree to said amendment, to send two of its body to see it made, which was concurred with by this house. Messrs. Brown and Wilkinson appointed to see the amendment made, and a message sent informing the house of representatives thereof.

Mr. Perkins introduced a bill to revise a certain act therein mentioned.

Mr. Douglass from the land committee, reported a bill to amend the land law, passed in the years 1806 and 1807.

Mr. Kennedy, introduced a bill in addition to the several acts establishing courts of law, and for regulating proceedings therein.

Mr. Douglass from the committee of claims, reported a bill making provision for the land claims of persons therein named, which bills were severally read the first time, passed, and sent to the house of representatives.

Received from the house of representatives, a bill supplementary to an act entitled, "an act, for the regulation of the town of Franklin."

Mr. Kennedy, who withdrew for amendment a bill to prolong the time for receiving claims by the commissioners of East and West Tennessee, and for other purposes, returned the same without amendment.

Received from the house of representatives, a bill to explain a part of the second section of an act, entitled, "an act to define the jurisdiction of justices of the peace, and for other purposes therein mentioned," passed November 6, 1807.

Also, a bill to authorize the register of East Tennessee, to issue grants in certain cases therein mentioned, and for other purposes, which bills were severally read the second time, passed and sent to the house of representatives.

Also received, a bill to establish the dividing line between the surveyors of the third and fourth districts, and for other purposes, read the third time, passed, and sent to the house of representatives.

Also, a bill to establish a separate court in the county of Blount, for the trial of caveat causes, which was read the third third and last time, passed, and ordered to be engrossed.

Mr. Thornton presented sundry papers relative to a land warrant issued by Samuel Barton to George Martin, which were read, referred to the land committee, and sent to the house of representatives.

The house adjourned until 3 o'clock, P. M.

The house met according to adjournment.

Mr. White from the committee of enrollments, reported the following bills as correctly engrossed, to wit :

An act to fix the time of holding regimental and battalion musters in the county of Hickman.

An act to alter the time of laying the poor tax.

An act to authorise the register of West Tennessee, to make out a grant in the name of John Locke.

An act to authorise the clerk to the commissioner of West Tennessee, to rectify a mistake made by the clerk to the first board of commissioners of said West Tennessee, in issuing a certificate to John Morgan.

An act to alter and establish the true line between the counties of Roane, Rhea and Bledsoe, which was established by an act, entitled, "an act to reduce Roane county to its constitutional limits," passed at Knoxville, the thirtieth day of November, 1807.

An act to fix the time for holding regimental & battalion musters in the counties of Maury and Bedford.

An act, to amend the first section of an act, entitled, "an act for erecting a court house and prison in the town of Clarksville, for the district of Robertson," passed 11th September, 1806.

Mr. Kennedy introduced a bill to authorise the county courts of Greene and Washington, to amend a road therein mentioned.

Mr. Perkins introduced a bill to establish a separate election in Maury county.

Mr. Weakley introduced a bill for the payment of the members, clerks and door keepers of the present general assembly, and for other purposes.

Mr. Perkins introduced a bill for the relief of Vance Greer.

Mr. Russell introduced a bill for the relief of James Paterson, high sheriff of Greene county.

Mr. Wilkinson introduced a bill to facilitate the transfer of lands south of French Broad and Holston.

Received from the house of representatives, a bill to provide for running a line from the upper end of the Chickasaw Old Fields, to the head waters of Duck river.

Also, a bill to authorize Hugh E. Bell, administrator of the estate of Robert Nelson deceased, to sell and convey lands & town lots, and transfer warrants and entries belonging to the estate of said Robert Nelson deceased, for the purpose of paying the debts and taxes of said estate.

Also, a bill to compel sheriffs and coroners to make true and faithful return of writs, which bills were severally read the first time, passed, and sent to the house of representatives.

Received from the house of representatives, a bill to repeal part of an act, entitled, "an act to appoint commissioners and vest them with power to sell the public lot and jail in front of the court house in Rogersville, and for other purposes."

Also, a bill to authorize and establish regimental and battalion musters in the counties of Rhea and Bledsoe.

Also, a bill to annex the land therein described, to the town of Gallatin, in the county of Sumner.

Also, a bill to authorize the county courts to remit taxes in certain cases.

Also, a bill for extending further indulgence to occupants, which bills were severally read the second time, passed, and sent to the house of representatives.

Also, a bill to amend the law in force for keeping roads in repair, which was read, and on motion of Mr. Lea withdrawn by him for amendment.

Also, a bill to amend an act to order the transcribing certain entries or documents therein mentioned, passed at Knoxville, September 11th, 1856.

Also, a bill to authorize sheriffs to take bail in certain cases, which bills were severally read the third time, passed, and sent to the house of representatives.

Also, a bill for the present relief of John Estis and Thomas Henderson, which was read the third and last time, passed, and ordered to be engrossed.

Mr. Douglass from the committee of claims, made the following reports, to wit :

The committee of claims have had under consideration the

memorial of Vance Greer, esq. deputy sheriff and collector of state and county tax of Bedford county, for the year one thousand eight hundred and eight, which states, that in November last, when in Nashville, he received taxes to the amount of eighty eight dollars, that he deposited the same in the bar of Mr. Thomas Talbot, innkeeper; that the said bar was, on the same night, broken open by a person unknown, and the said money taken therefrom, &c. and praying the legislature will pass a law releasing him from the payment of the said sum of eighty eight dollars, and beg leave to report, that they are of opinion that the said Vance Greer ought not to be released from the payment of the above named sum of money, but are of opinion that he ought to be indulged in the payment thereof.

The committee of claims have examined the memorial of Stephen Childress, esquire, sheriff and collector of the public tax for the county of Williamson, shewing that in the years 1804, 1805 and 1806, he paid to the treasurer of his district the amount of public taxes wherewith he stood charged for those years, and that he paid the sum of forty four dollars sixty three cents and six mills, beyond what could be collected for those years; the lands on which the same accrued having been released from the payment of taxes by the court of said county, or not being sold when offered for sale, for want of bidders, &c. and report that they are of opinion, the said Childress is justly entitled to the sum of forty four dollars sixty three cents and six mills, and that provision ought to be made for his relief.

The committee of claims have had under examination a petition of W. Giblon stating that he was summoned as a witness on behalf of the state, at a court held at Carthage for the district of Winchester; that he attended as such two days, and travelled eighty six miles, and that he has since lost the certificate given him by the clerk of said district court, &c. beg leave to report, that they are of opinion that said clerk ought to be authorised to issue to said Giblon a duplicate certificate, and stating it as such.

EDWARD DOUGLASS, Chairman.

Which reports were severally read, concurred with, and sent to the house of representatives.

Received from the house of representatives, a petition of William Ward, praying to be divorced, &c. which was read

and referred to the committee of propositions and grievances. Mr. White presented the certificate of the clerk of Knox county, of the resignation of Harris Gammon, as a justice of the peace of said county, which was read and sent to the house of representatives.

Also, the claim of John B. Hood, for doing certain printing for the state, which was read, referred to the committee of claims, and sent to the house of representatives.

A bill to prohibit the secretary of state from the collection of certain fees therein mentioned, was taken up and read, and on motion of Mr. Kennedy to strike out the preamble and sections of said bill, for the purpose of adding an amendment thereto. The yeas and nays were as follow :

Yeas—Messrs. Weakley, Lea, Walton, White, Thornton, Douglass, and Kennedy.

Nays—Messrs. Brown, Russell, Doherty, Wilkinson and Perkins.

The preamble and sections of said bill stricken out are as follow :

Whereas it was the true meaning and intent of this general assembly, by the fifty-first section of an act entitled, "an act to amend an act entitled, an act directing the division of the state into convenient districts, for the appointment of principal surveyors thereof, and for ascertaining the bona fide claims against the same, agreeable to an act of congress, passed the 18th day of April, 1806, entitled, "an act to authorize the state of Tennessee to issue grants and perfect titles to certain lands therein described, and to settle the claims to the vacant lands within the same, and to point out the mode hereafter to be pursued, in ascertaining the unsatisfied claims, and in perfecting titles on the same," passed December 3d, 1807, that the secretary of state should be entitled to twelve and an half cents and no more, for the service therein required by him to be done and performed, including the affixing the state seal to a grant; and whereas it is represented to this general assembly, that the secretary has in many instances taken as a fee for such services the sum of one dollar twelve and an half cents on each grant, therefore

Section 1. *Be it enacted by the General Assembly of the state of Tennessee,* That the secretary of state shall not hereafter demand and receive on any grant issued under the authority of the state, any other or further fee than the sum of

twelve and one half cents, in full for his services in issuing the same.

S. c. 2. *Be it enacted*, That it shall be the duty of the secretary of state to affix the state seal to all grants which may be made out by either of the registers of the land offices in this state, and shall receive no other fee for the same, and for all services by him done appertaining to said grant, and for making a memorandum in his office of said grant, such as is required by law, than said sum of twelve and one half cents.

The amendment by Mr. Kennedy, proposed and adopted by the senate, is as follows, to wit :

Sec. 1. *Be it enacted by the general assembly of the State of Tennessee*, That the secretary of this state shall be entitled to receive the sum of twenty five cents on each grant hereafter issued, in full compensation for affixing the seal of the state thereto, for making the memorandum thereof which is required by the act of assembly, passed 3d December, 1807, and for all other services he may perform respecting such grant, and no other fee whatever.

A message was sent to the house of representatives, informing them that this house had taken up for the third and last reading, the above named bill, and proposing to amend the same by striking out the preamble and sections alluded to above, and adopting in lieu thereof, the last named section, and requesting them, should they agree to said amendments to send two of their body to see them made. In answer to which a message of non-concurrence was received from the house of representatives.

The house adjourned until to-morrow 9 o'clock.

T U E S D A Y, April 13th, 1809.

The house met according to adjournment.

A message was sent to the house of representatives, informing them that this house had taken up for the third and last reading, a bill to incorporate a water company in the town of Knoxville, and propose amending the same by striking out the words "to any town," in the fifth section of said bill, and inserting the word "place," in lieu thereof; and requesting them, should they agree to said amendment, to send two of their body to see it made.

In answer to which, a message was received from the house of representatives, concurring with the message of this house,

and stating that they had appointed Messrs. Trimble and Dyer to see the amendment made ; the said bill was then read the third and last time, passed, and ordered to be engrossed.

On motion of Mr. Douglass, the resolution of the house of representatives, that a joint committee of both houses of this general assembly, be appointed to wait on his excellency the governor, and receive from him a written statement of the sums appropriated by him under the act of the last general assembly, providing for holding Indian treaties, and the manner in which the sums may have been appropriated, and that said committee shall be authorized to report confidentially, should it be expedient, was taken up and read, and on the question, will the senate concur with the resolution? being put, the yeas and nays were as follow :

Yeas—Messrs. Brown, Russell, Douglass & Perkins—4.

Nays—Messrs. Weakley, Lea, Liberty, Walton, White, Thornton, Wilkinson and Kennedy—8.

A message was sent to the house of representatives, informing them of the non concurrence of this house.

Mr. White from the committee of enrollments, reported the following bills as correctly engrossed, to wit :

An act for the relief of those persons who have not obtained deeds for their lots in the town of Carthage.

An act to authorize the register of the land office for East Tennessee, to issue a grant for the land including the town of Maryville, and for other purposes.

An act to rectify a mistake in an act passed last general assembly, entitled, “ an act to appoint additional commissioners for the town of Sevierville.

An act to amend an act, entitled, “ an act making provision for the payment of jurors to the county courts,” passed December 4th, 1807.

An act to authorize sheriffs or their deputies to administer oaths in certain cases.

An act to establish a separate court in the county of Blount for the trial of caveat causes.

An act for the present relief of John Ellis and Thomas Henderson.

An act for the relief of Samuel Turbville.

An act authorizing three separate elections in the county of Bedford.

An act concerning Thomas Dixon of Robertson county.

An act to alter the present dividing line between White and Overton counties.

An act to alter the time of holding the courts of pleas and quarter sessions for the county of Claiborne.

An act to alter the names of certain persons therein mentioned.

An act to authorize Robert Armstrong of White county, to collect taxes therein mentioned.

An act, supplementary to an act, to secure the free navigation of Nolichucky river, passed at Knoxville, December 3d, 1807.

An act to repeal the ninth section of an act, authorizing and establishing Overton county, passed at Knoxville, one thousand eight hundred and six, and for other purposes.

An act to amend the law for the regulation of Knoxville.

An act to amend an act, entitled, "an act for the inspection of tobacco," passed October 26th, 1799. And also, to amend an act, entitled, "an act to prevent the exportation of unmerchantable commodities," passed November the 14th, 1801.

Which acts were severally signed by the speaker of this house, and sent to the house of representatives.

Received from the house of representatives, a petition of the inhabitants of Campbell county, relative to the seat of justice in said county, which was read, and ordered to lie on the table.

On motion of Mr. White, an act to amend the law for the regulation of Knoxville, was reconsidered, and a message sent to the house of representatives proposing to amend the same by inserting the word "last," in the section of said bill, so as to make it read "last Saturday of April," and requesting them, should they agree to said amendment, to send two of their body to see it made. In answer to which, a message of concurrence was received from the house of representatives, and stating that they had appointed Messrs. Dardis and Mitchell to see the amendment made; said act was then amended as proposed.

Mr. Douglass, from the committee of claims, made the following reports, to wit:

That they had examined the memorial of Isaac M'Pherson, praying to be compensated for his trouble and expence.

in conveying a certain man from Roane county, to the district jail of Hamilton district, by the name of Thomas Carol, charged with horse stealing, and are of opinion he ought to be allowed the sum of twelve dollars, for services and expences incurred by him.

Also, that they had examined the petition of John Bright, jailor of Knox county, praying to be allowed for expences incurred in keeping certain prisoners committed to said jail, who were unable to defray said expences, and are of opinion he is entitled to one hundred and four dollars, and fifty cents, and no more.

Also, the memorial of Edward Scott, register of the land office for East Tennessee, together with the letter of the surveyor general of the lands south of French Broad and Holston, addressed to said register, on the subject of the register's not liquidating his account as surveyor for said district, and report that the register ought to be directed to liquidate said account.

Also, that they had examined the claim of Basil Shaw, jailor of Smith county, for expences incurred in furnishing certain prisoners with provisions, which persons broke jail, and that they are of opinion he is entitled to sixty seven dollars and seventy five cents, in full for his expences.

Also, that they had examined the claim of Andrew M. Lusk, clerk to the commissioner for East Tennessee, for stationary furnished for the use of said commissioner, and that they are of opinion he is entitled to the sum of ninety two dollars, for the amount furnished as aforesaid.

Also, that they had examined the claim of Robert Houlton, secretary, for stationary furnished by him for the use of the state, and are of opinion that he is entitled to ninety dollars after deducting fifty dollars 13 cents, allowed him by a resolution of the last general assembly, for the purpose of defraying said claim.

And that they had examined the claim of John B. Hood, for sundry printing done for the use of the state, and are of opinion that said Hood is entitled to the sum of thirty five dollars, &c. Which reports were severally read, concurred with, and sent to the house of representatives.

Mr. Perkins from the committee of propositions and grievances, made the following reports, to wit :

That the petition of William Ward, of Ruthertord coun-

ty, praying to be divorced from his wife Elizabeth Ward, is unreasonable, and ought not to be granted.

That the petition of John Cunningham of Knox county, praying to be divorced from his wife Elizabeth Cunningham. And the petition of Richard Cureton of Green county, praying the liberty of receiving toll at a certain bridge, as a remuneration for building said bridge, and keeping it in repair, are reasonable and ought to be granted. Which reports were severally read, concurred with, and sent to the house of representatives.

And that the petition of Cynthia L. Goss, praying to be divorced from her husband Russell Goss, is unreasonable and ought not to be granted, which report was read, and ordered to lie on the table.

A message was sent to the house of representatives, insisting on the amendment by this house proposed to the bill prohibiting the secretary of state, from the collection of certain fees therein mentioned; a message was received in answer, that they still insisted on their non-concurrence.

Received from the house of representatives, a bill in addition to the several acts establishing courts of law, and for regulating proceedings therein.

Also, a bill to authorise Richard Cureton of Greene county, to receive toll at a certain bridge therein named.

Also, a bill concerning executions, and for other purposes. Which bill's were severally read the second time, amended, passed, and sent to the house of representatives.

Also, a bill to establish a separate election in the county of Maury.

Also, a bill for the relief of Vance Greer.

Also, a bill to amend an act, entitled, "an act to authorise Isaac B. Ker and Thomas Wilson, to erect a turnpike on a certain road therein mentioned," passed at Knoxville, 7th November, 1803. Which bills were severally read the second time, passed and sent to the house of representatives.

Also, a bill to amend the land law, passed in the years 1806 and 1807, which was read the second time, amended, and ordered to be laid on the table.

Also, a bill to compel retailers of spiritous liquors, to take out licence, which was read the first time, passed, and sent to the house of representatives.

Also, a bill for the relief of James Patterson, high sheriff.

of Greene county, and his securities, which was read the second time and rejected. On the question of the passage of the bill, the yeas and nays were as follow :

Yeas—Messrs. Brown, Russell, Wilkinson & Kennedy—4.

Nays—Messrs. Weakley, Lea, Doherty, Walton, White, Thornton, Douglass and Perkins—8.

Received also, a bill to establish regimental and battalion musters, in the counties of Rhea and Bledloe.

Also, a bill to explain a part of the second section of an act, entitled, “an act to define the jurisdiction of justices of the peace, and for other purposes therein mentioned,” passed November 6th, 1801.

Also, a bill making good the registration of all deeds heretofore registered by the different registers of any county in this state, which were severally read the third time, passed, and sent to the house of representatives.

Also, a bill to authorise the register of East Tennessee, to issue grants in certain cases therein mentioned, and for other purposes.

Also, a bill supplementary to an act, entitled “an act for the regulation of the town of Franklin.

Also, a bill to repeal part of an act, entitled, “an act to appoint commissioners, and to vest them with power to sell the public lot and jail in front of the court house in Rogersville, and for other purposes. Which bills were severally read the third and last time, passed, and ordered to be engrossed.

The house adjourned until to-morrow 9 o'clock.

W E D N E S D A Y, April 19th, 1809.

The house met according to adjournment.

A message was sent to the house of representatives, informing them that the senate had taken up for the third and last reading, a bill giving further time for the probate and registration of grants, deeds, and other instruments, required by law to be proven and registered, and for other purposes, and proposing to amend the same by reinstating the word “creditor,” in the second section of said bill, and requesting them, should they agree to said amendment, to send two of their body to see it made.

Received from the house of representatives, a message non-concurring with the above message of this house, but still insisting on the form in which it stood when last passed in the said house of representatives.

A message was sent informing the house of representatives that the bill for extending further indulgence to occupants, was taken up for the third and last reading, and proposing to amend the same by adding the words "by virtue of such entry and survey made on a good and valid warrant or certificate as in other cases, in the second section of said bill," so as to make it read thus: "at the expiration of which time it shall be the duty of the register to make out grants by virtue of such entry and survey made on a good and valid warrant or certificate as, in other cases," and requesting them, should they agree to said amendment, to send two of their body to see the same made. In answer to which, a message was received from the house of representatives concurring with the message of this house, and stating that they had appointed Messrs. Hill and Crawford, to see the amendment made, said bill was then amended.

A bill for the relief of the citizens south of French Broad, and Holston, was taken up, read the third time, amended, passed, and sent to the house of representatives.

A message was received from the house of representatives, stating that they had taken up for the third and last reading, a bill to authorise sheriffs to take bail in certain cases, and proposing to amend the same by adding to the last section, as follows:

"And on said person failing to give such security, said sheriff is hereby authorized and required to commit such person to the jail of his county or district as the case may be, and make out a warrant of commitment, setting forth the cause of such commitment under his hand, which shall be a sufficient warrant to retain such persons until he shall give such bail as is above required, or until the court to which he shall have been recognized for his appearance.

And provided, that said sheriff shall not be found to accept such surrender, unless at the place of holding courts in his county, or at his usual place of residence, and requesting this house, should it agree to the above amendment, to send two of its body to see it made. Which was concurred with, by this house, Messrs. White and Douglass appointed to see the amendment made, and a message was sent informing the house of representatives thereof.

The bill to prohibit the secretary of state from the collection of certain fees therein mentioned was taken up & read

and motion of Mr. White, the preamble and sections were stricken out, and the following amendment was adopted in lieu thereof, and a message sent to the house of representatives, informing them thereof, and asking their concurrence:

Section *Be it enacted by the General Assembly of the state of Tennessee,* That from and after the passing of this act, the secretary of state shall not be entitled to demand or receive any fee whatever, for affixing the seal of the state to any grant hereafter to be issued, for making a memorandum as required by the act of December 3, 1807, nor for any other services to be by him done respecting such grant.

On the question of the adoption of the above amendment, the yeas and nays were as follow: .

Yeas. Messrs. Weakley, Lea, Doherty, Walton, White, Thornton and Kennedy.

Nays. Messrs. Brown, Russell, Wilkinson, Douglass and Perkins.

The preamble and section stricken out of said bill, are as follow:

Whereas it was the true meaning and intent of this general assembly, by the fifty first section of an act entitled "an act to amend an act entitled an act directing the division of the state into convenient districts, for the appointment of principal surveyors thereof, and for ascertaining the bona fide claims against the same, agreeable to an act of congress, passed the 18th of April, 1806, entitled, "an act to authorize the state of Tennessee to issue grants and perfect titles to certain lands therein described; and to settle the claims to the vacant and unappropriated lands in the same, and to point out the mode hereafter to be pursued, in ascertaining the unsatisfied claims, and in perfecting titles on the same, passed December the 3d, 1807, that the secretary of state should be entitled to twelve and one half cents for the services therein required by him to be done and performed, including the affixing the state seal to a grant, and whereas it is represented to this general assembly, that the said secretary has in many instances taken as a fee for said services, the sum of one dollar and twelve and one half cents on each grant, therefore

Section 1. *Be it enacted by the General Assembly of the state of Tennessee,* That the secretary of state shall not hereafter demand and receive on any grant issued under the authority of this state, any other or further fee than the sum of

twelve and one half cents in full for his services in issuing the same.

Second 2d. *Be it enacted*, That it shall be the duty of the Secretary of State to affix the state seal to all grants which may be made out by either of the registers of the land offices in this state, and shall receive no other fee for the same, and for all services by him done, appertaining to said grant, and for making a memorandum in his office of said grant, such as is required by law, than said sum of twelve and one half cents.

A message was sent to the house of representatives, informing them, that this house had stricken out the preamble and sections of the last named bill and had inserted the section above alluded to in lieu thereof, and asking their concurrence, and requesting them, should they agree to the amendment to send two of their body, to see it made; in answer to which, a message of non concurrence was received from the house of representatives. Said bill was then read the third and last time, passed and ordered to be engrossed.

Previous to the passage of the last named bill, on motion of Mr. Kennedy, to have it laid on the table until next general assembly, the yeas and nays were as follow :

Yeas. Messrs. Lea, Walton, White, and Kennedy. 4.

Nays. Messrs. Brown, Weakley, Russell, Doherty, Thornton, Wilkinson, Douglass and Perkins. 8.

A message was sent to the house of representatives informing them, that the senate adhere to the amendment by them proposed, to the bill giving further time for the probate and registration of grants, deeds, &c. In answer to which, a message was received from the house of representatives, adhering to their message of non-concurrence sent a reply to the message of this house.

Also, a message stating that the senate propose farther amending the bill for extending farther indulgence to occupants, by adding the words "previous to the passage of this act" in the second section of said bill, in order to make it read thus: "and where no person has entered the same by virtue of a good and valid warrant previous to the passage of this act, and farther, by striking out the words "third day of December, 1811," and inserting the third Monday of Sept. 1812, and then that of, and requesting them, should they agree to said amendment, to send two of their body to see this:

amendment made. In answer to which, a message of concurrence was received from the house of representatives, and informing this house, that they had appointed Messrs. Hill and Cannon to see the amendment made. Said bill was then amended, read the third and last time, passed, and ordered to be engrossed.

Received from the house of representatives, a message informing this house, that they had taken up for the third and last reading, the bill to authorise David Shelby and Christopher Stump to build a toll bridge over Cumberland river, and proposing to amend the same by annexing to the first section, and as a conclusion to said section, as follows:

“ *And provided*, that the said bridge shall be so constructed, that it shall not obstruct the passage of any vessel in ascending or descending said river.” And proposing to strike out the second section entire, which is in these words:

Sec. 2. *Be it enacted*, That for and during the period of time said Shelby and Stump are engaged in carrying on the work for the completion of said bridge, it shall and may be lawful for them, the said David Shelby & Christopher Stump, to keep a ferry at the place at which said bridge is intended to be erected: *Provided*, the county court of Davidson shall sanction the same, and the rates of ferryage shall be taxed by the county court of Davidson, as in similar cases.” And requesting this house, should they agree to said amendment, to send two of its body to see it made.

A message was sent to the house of representatives, informing them of the concurrence of this house to the first amendment above named, to be made to this bill, and informing them that Messrs. Weakley and Brown were appointed to see the same made; but, that the senate did not concur as to striking out the second section, &c.

Received from the house of representatives, a bill to compel the retailers of spiritous liquors to take out licence.

Also, a bill to provide for running a line from the upper end of the Chickasaw Old Fields, to the head waters of Duck river.

Also, a bill to compel sheriffs and coroners to make true and faithful return of writs.

Also, a bill to authorise Hugh F. Bell, administrator of the estate of Robert Benton deceased, to sell and convey land town lots and transfer warrants and entries belonging to the

estate of said Robert Nelson, deceased, for the purpose of paying the debts and taxes of said estate.

Also, a bill to grant relief to those who have failed to record and register their deeds, and mesne conveyances, within the the time heretofore prescribed by law.

Also, a bill to facilitate the transfer of lands south of French Broad and Holston. Which bills were severally read the second time, passed, and sent to the house of representatives.

Received also, a bill to authorize Richard Cureton of Greene county, to receive toll at a certain bridge therein named.

Also, a bill to amend an act, entitled, "an act to authorize Isaac Baker and Thomas Wilson, to erect a turnpike on a certain road therein mentioned," passed at Knoxville, the 7th day of November, 1803. Which were severally read the third time, passed and sent to the house of representatives.

Also, a bill for the relief of Vance Greer.

Also, a bill to divorce certain persons therein named.

And a bill to repeal the second section of an act, entitled, "an act allowing and regulating certain officers fees in particular cases," passed 11th September, 1806. Which bills were severally read the third time, amended, passed, and sent to the house of representatives.

Also, a bill to annex the land therein described, to the town of Gallatin in the county of Sumner, which was read the third and last time, passed, and ordered to be engrossed.

Also received, a petition of Thomas Hopkins, relative to compensation for conveying certain documents from Knoxville to Nashville, which was read and reported reasonable, as by the house of representatives.

Received from the house of representatives, a message accompanied by a resolution, that the secretary of state be directed to deliver to the representatives of Warren, Franklin and Maury counties; in equal proportions, twenty acts and twenty journals of the general assembly of 1807, for the use of said counties, which was concurred with by this house, and a message sent informing the house of representatives thereof, and proposing, that the secretary be directed, to deliver six acts and six journals for the use of Hickman county.

Mr. Perkins moved to have his reasons entered on the

Journal for voting against the amendment proposed by Mr. White, to the bill to prohibit the secretary of state from the collection of certain fees therein mentioned, which proposed amendment is in the following words :

Be it enacted by the general assembly of the state of Tennessee, That from and after the passing of this act, the secretary of state shall not be entitled to demand and receive any fee whatever, for affixing the seal of the state to any grant hereafter to be issued, in making the memorandum as required by the act of December 31, 1867, nor for any other services by him in the receipt of such grant.

Mr Perkins's reasons, &c

My reasons for voting against the proposed amendment, are: Being conscious that the secretary of state, and all other persons, are entitled to compensation for services by them rendered; and as additional duties were imposed on the secretary at the last session of the general assembly, and believing that the legislature at that time intended that he should be entitled to twelve and one half cents, as full compensation for making a memorandum and fixing the seal of the state to each grant, it would unquestionably be just that he should be paid in future, the above named sum for that service; believing that the other branch of the legislature was determined to adhere to the bill as they passed it, (and in my opinion correctly too) as two messages had passed between the houses, the one assenting, and the other adhering to their own proposals. I was unwilling, independent of all other considerations, to endanger the passage of the bill, by which the subject would have been left in all the doubt and perplexity in which it was found at the commencement of the session. Had the proposed amendment been received, it would have left an open door, and a good pretext for raising the salary of the secretary, which in my opinion would not be correct policy, particularly at the present crisis—for I hold it as a correct principle, that those of the community who have the landed interest, should alone contribute to the procuring of their titles.

Nicholas T. Perkins.

Mr. Russell's reasons for voting against said amendment, are as follow :

My reasons for voting against the amendment proposed to the bill regulating the fees of the secretary of state, &c.

are in substance as follow : That past experience in the interpretation of laws allowing fees to certain officers of government, teach the necessity of negative as well as positive statutes, in order to confine them to the real fee that is intended they shall receive ; and the bill above recited, containing in its preamble the meaning, at least my meaning of the law of 1807, allowing the fee of 12 1-2 cents to the secretary for all the services by him to be performed on any grant meets my approbation. On the progress of this bill it was moved to strike out a section which forbid the secretary receiving any more than 12 1-2 cents on any grant yet in his office, and not delivered to the grantee, of which (as I am informed) there are some hundreds. To the motion for striking out, I was opposed, conceiving the legislature had the power of passing and justice to the people required it ; and finally, being always of opinion that the secretary had a right to receive 12 1-2 cents on each grant, and no more, I still think he ought to have at least that fee ; and as the amendment contemplated, that he receive nothing, although advocated by those who had, on the earlier reading of the bill, proposed 25 cents. I thought to require of him so much labor and expence to be performed without some compensation therefor, unreasonable, inconsistent and unjust. I therefore voted against it, and in favor of the original bill. It is a maxim with me, and I think one that is founded on the principles of moral justice, to require no material services to be performed by any person, without a compensation in some degree adequate to the services to be performed.

JOHN RUSSELL.

The house adjourned until to-morrow 8 o'clock.

T H U R S D A Y, April 20th, 1809.

The house met according to adjournment.

Mr. White from the committee of enrollments, reported the following acts, which have been examined and found correctly engrossed, to wit :

An act to incorporate a water company in the town of Knoxville, and for other purposes.

An act, supplementary to an act, entitled "an act for the regulation of the town of Franklin," passed Sept. 11, 1806.

An act to repeal part of an act, entitled "an act to appoint commissioners and vest with them power to sell the pub-

The lot and jail in front of the court house in Rogersville, and for other purposes therein mentioned."

An act to authorize the register of the land office of East Tennessee, to issue grants in certain cases therein mentioned, and for other purposes.

An act to annex the land therein mentioned, to the town of Gallatin, in the county of Sumner. And

An act respecting certain fees of the secretary of state.— Which were severally signed by the speaker, and sent to the house of representatives.

Received from the house of representatives, a petition of William Bradley, praying to be allowed for his attendance in superintending the erecting a slope, in the dam on the North Fork of Holston river, which was read and reported reasonable as by the house of representatives.

Also, a bill to amend the land laws, passed in the years 1806 and 1807.

Mr. Lea who withdrew for amendment, a bill to amend the law in force for keeping roads in repair, returned the same.

Received from the house of representatives, a bill making provision for the land claims therein mentioned, which bills were severally read the second time, amended, passed, and sent to the house of representatives.

Also, a message informing this house, that they had taken up for the third and last reading, a bill to divorce the persons therein named, and proposing to amend the same, by reinstating the names of Lorisa Leur, of Jefferson county, and her husband David Leur; Cynthia L. Goss, and her husband Rufel Goss; Joseph Horton, and his wife Sarah Horton; and Jonathan Oyler, and his wife Rachael, and requesting this house, should they agree to said amendment, to send two of their body to see it made; which was non-concurred with by this house, and a message sent informing the house of representatives thereof.

Received from the house of representatives, a message accompanied by a resolution, that the secretary of state be directed to distribute to the several members of this general assembly, for the use of their counties, an equal proportion of the acts of congress remaining in his office, after retaining twenty copies thereof for the use of the state, which was concurred with by this house, and a message sent informing the house of representatives thereof.

Mr. Lea presented certificates of the clerk of Campbell county, of the resignation of Robert Glenn and Hugh Montgomery, esquires, as justices of the peace for said county, which were read and sent to the house of representatives.

Received from the house of representatives, a report of the treasurer of Washington and Hamilton districts, which is as follows :

Treasurer's Office, April 15, 1809.

To the honorable the general assembly of the state of Tennessee.

The treasurer for Washington and Hamilton districts has the honor of acknowledging the receipt of a joint resolution of both houses of the legislature, dated April the 13th, 1809, calling on him to make a statement of the amount of monies paid into the treasury, on the sale of lands south of French Broad and Holston, and distinguishing as far as practicable, the amount of monies paid in for the use of colleges and academies, from other monies.

The treasurer begs leave to state, that the whole amount of monies received by him on such, is thirteen thousand and six hundred dollars, and the sum of about two hundred dollars interest. The treasurer has to lament, that owing to the manner in which the plats were returned, that it is out of his power to state to the legislature as soon as they may wish, or even within a short time, for what lands those monies have been paid. In order to do this, a reference to the register's office will be necessary. In the mean time if it should be the will of the legislature to appoint any person or persons to draw the money, the treasurer will, upon notification of such appointment, prepare an accurate statement, accompanied with the calculation and amount of interest that has been recovered on the several instalments on each tract of land that falls within the tract located for the use of colleges and academies, all which is respectfully submitted.

THOMAS M'CORRY, *Treasurer*
for Washington & Hamilton districts.

Mr. White from the committee of enrollments reported the following bills as correctly engrossed.

An act to authorise sheriffs to take bail in certain cases.

An act to authorise and establish the time for holding regimental and battalion musters in the counties of Rhea and Bladloe.

An act to explain a part of the second section of an act to define the jurisdiction of justices of the peace, and for other purposes therein mentioned, passed November 6th, 1801.

An act making good the registration of all deeds heretofore registered by the different registers of any county in this state.

An act to amend an act entitled, an act to order the transcribing certain documents therein mentioned, passed at Knoxville, Sept. 11, 1836.

An act to establish the dividing line between the surveyors of the third and fourth districts in this state, and for other purposes. Which acts were severally signed by the speaker of this house and sent to the house of representatives.

A message was sent to the house of representatives informing them, that the senate had taken up for the third and last reading a bill to prolong the time for receiving claims by the commissioners of East and West Tennessee and for other purposes, and proposing to amend the same by striking out the second section of said bill, together with the preamble thereto, and inserting other amendments in their place, and requesting them, should they agree to said amendments to send two of their body to see them made. The preamble and section alluded to are in the following words, to wit.

“And whereas, it has been represented unto this general assembly, that in running the dividing line between this state and the state of Virginia, many persons are taken into the state of Virginia, who before running said line, supposed they resided within the limits of this state, and under such belief obtained fair and honest titles from the state of North Carolina, which said titles in many instances are likely to be taken away by older titles from the state of Virginia.

Sec. 2. Be it enacted, That in the above described cases, the parties concerned, shall have the liberty of laying their respective claims before the commissioner of East Tennessee, and upon satisfying said commissioner, that his or her claim was a fair and honest one at the time of obtaining a grant for the same and that no other grant has issued on the same number, and that the claim which interferes with, or takes away the claim of such applicant, is also fair and honest, and recognized by the laws of Virginia, then and in that case, the said commissioner shall cause to be issued to said claimant, a

certificate for so much land as he or she may be entitled to, in the same manner as is directed by the before recited act, in the case of interfering claims, where the lands claimed by the different parties, all lie within the limits of this state."

The amendments proposed to be inserted are as follow :

Whereas by an act of the general assembly of this state, heretofore passed, grants obtained from the state of Virginia, for lands within this state, under a belief that those lands lay within the state of North Carolina, are to have the same force and effect, as if the same had been issued by the state of North Carolina. *And whereas*, under the provisions of the aforesaid act, individuals claiming lands under grants issued by the state of North Carolina, are liable to lose their land on account of some of said Virginia grants interfering with their said grants. *And whereas*, many good citizens of this state, who hold their lands under grants issued by the state of Virginia, are liable to lose their said lands on account of prior interfering grants issued from the state of North Carolina, and no provision has yet been made by which any person under such circumstances can obtain any certificate on account of a prior interfering grant. Therefore,

Sec. 1. *Be it enacted*, That in every case where person or persons who claim lands under grant issued by the state of North Carolina or Virginia, are apprehensive that they will lose their title to said land or any part thereof, on account of any prior interfering grant issued by the state of Virginia, or by the state of North Carolina, that it shall and may be lawful for such person or persons, to file his claim with either commissioner, whose duty it shall be, to examine such claim, and if it should appear by such evidence as is required in other cases of interfering titles, that said grant is a genuine grant, and that the same issued on a good and valid warrant, and that no other grant issued on the same warrant, or on any duplicate thereof, and that the prior interfering grant was fairly issued by the state of Virginia or North Carolina, in the manner prescribed by their laws ; and that the said Virginia or North Carolina grant, (as the case may be) is the better title to said land, or any part thereof, then and in that case, it shall be a duty of said commissioner, to issue to such applicant or his legal representatives, a certificate for the quantity of acres taken by such prior interfering claim: *Provided always*, that no certificate shall in any case be issued if

the applicant should still have within the limits and bounds of his grant, the number of acres called for in his said grant."

In answer to which a message was received from the house of representatives concurring with the proposed amendment, and informing this house, that they had appointed Messrs. Young and Blount to see the same made. Said bill was then amended, read the third and last time, passed and ordered to be engrossed.

A message was sent to the house of representatives informing them that the senate had taken up for the third and last reading, a bill to repeal the 2d section of an act entitled "an act regulating certain officers fees in particular cases and proposing to amend the same, by reinstating the second and third sections of said bill which were stricken out by the house of representatives, which sections are as follow :

Sec. 2. *Be it enacted*, That in all cases hereafter, when any justice of the peace of this state shall die, resign, or remove out of the county in which he is a justice of the peace, that then and in those cases, the representatives of the justice deceased, or the person resigned or removed, shall carefully file the public papers of the justice deceased, resigned or removed, with the clerk of the court of the county in which he was a justice, to be safely kept ; and in all cases thereafter, where the proceedings or copies thereof may be necessary for the benefit of any person interested, the same kind of process shall be directed to the clerk, that, is or would have been proper to the justice of the peace.

Sec. 3. *Be it enacted*, That the clerk of the court of pleas and quarter sessions, shall be entitled to the sum of twenty-five cents, for all copies regularly certified, of the proceedings of the justice of the peace mentioned in this act, to be paid by the person requiring the same.

In answer to which a message was received from the house of representatives concurring with the message above, and stating, that they had appointed Messrs. Trimble and Bradley to see the amendment made. Said bill was then amended, read the third and last time, passed, and ordered to be engrossed.

A bill, in addition to an act entitled, "an act for the appointment of a register of the land office and providing for the sale of the lands south of French Broad, agreeably to the constitution of this state, and the provision of the acts of con-

gress therein referred to," passed September 6, 1806, was read the second time and rejected.

A bill to compel sheriffs and coroners to make true and faithful return of writs, was read the third time and rejected.

A bill to establish a separate election in Maury county, was read the third time, passed, and sent to the house of representatives.

A bill to provide for running a line from the upper end of the Chickasaw Old Fields, to the head waters of Duck river, was read the third and last time, passed, and ordered to be engrossed.

A message was sent to the house of representatives informing them, that the senate had taken up for the third and last reading, a bill giving further time for the probate and registration of grants, deeds, and other instruments required by law to be proven and registered, &c. and proposing to amend the same, by striking out the following words, in the second section of said bill, to wit: "And such registration when made, shall be as good and available to pass the estate or property against all persons except subsequent purchasers or mortgagee without notice, who shall have acquired title after the time limited for registration of such deed or instrument of writing had expired, as if such registration had been made within the time heretofore prescribed by law, and requesting them; should they agree to said amendment, to send two of their body to see it made. In answer to which, a message of concurrence was received from the house of representatives, and stating, that they had appointed Messrs. Dardis and Cocke to see the amendment made. The said bill was then amended, read the third and last time, passed, and ordered to be engrossed.

The house adjourned until to morrow 9 o'clock, A. M.

F R I D A Y, April 21st, 1809.

The house met according to adjournment.

Mr. White from the committee of enrollments, reported the following bills correctly engrossed:

An act to prolong the time for receiving claims by the commissioners of East and West Tennessee and for other purposes.

An act to provide for running a line from the upper end of the Chickasaw Old Fields to the head waters of Duck river.

An act to extend further indulgence to occupants.

An act to authorise Richard Cureton, of Greene county, to receive toll at a certain bridge therein named.

An act to divorce the persons therein named.

An act for the relief of Vance Greer.

An act to amend an act, entitled, "an act to authorise Isaac Baker and Thomas Wilson, to erect a turnpike on a certain road therein mentioned," passed at Knoxville, 17th September, 1803.

An act to authorise David Shelby and Christopher Stump, to build a toll bridge over Cumberland river. And,

An act giving further time for the probate and registration of grants, deeds, and other instruments required by law to be proven and registered, and for other purposes. Which were severally signed by the speaker of this house, and sent to the house of representatives.

Received from the house of representatives, a bill to facilitate the transfer of lands south of French Broad and Holston.

Also, a bill to amend the land laws, passed in the years 1806 and 1807,

Also, a bill to amend the law in force for keeping roads in repair.

Also, a bill to provide for the land claims of the persons therein named, which were severally read the third time, amended, passed, and sent to the house of representatives.

Received from the house of representatives, a message informing this house, that they had taken up for the third and last reading, a bill for the relief of the people south of French Broad and Holston, and proposing to amend the same by striking out the following words in the second section, to wit: "at Knoxville," and inserting those words in room thereof: "at the court house of the county in which the land lies," so as to make it read, "the same will be sold at the court house of the county in which the land lies." Also, by amending the 6th section, by inserting the words "then due and," before the word "unpaid," so as to make it read thus: "that if in any case, said land should sell for more than the amount of all the instalments and interest then due and unpaid on said land, and the costs attending such sale, that then the overplus shall, by said treasurer, be paid on demand, to the person who, at the time of the sale, owned the same, &c." And by striking out the last clause of said section, which reads

thus : " and if upon any of said sales, the land should not sell for enough to pay all of said instalments, interest and costs, then, and in that case, the said treasurer shall apply the whole of said money, over and above the instalments, interest and costs then due, toward the discharge of the instalments afterwards to become due," and requesting this house, should they agree to said amendments, to send two of their body to see them made.

Also, a message farther proposing to amend said bill, by striking out the words " six weeks," in the second section, immediately after the word " land," for the purpose of inserting the words " ninety days." Which messages were non-concurred with by this house, and a message sent to the house of representatives informing them thereof.

Received from the house of representatives, a message informing this house, that they had taken up for the third and last reading, a bill to amend the land law, &c. and proposing to amend the same, by striking out the word " for" in the tenth section, before the words " at least thirty days before the sale," so as to make it read thus : " such land shall be advertised as the law directs, at least thirty days before the sale," and requesting this house, should they agree to said amendment, to send two of their body to see it made, which was concurred with by this house, Messrs. Lea and Wilkinson appointed to see the amendment made, and a message sent to the house of representatives, informing them thereof.

A bill to repeal the 6th and 7th sections of an act, passed at Knoxville, the third day of December, 1807, entitled, " an act supplementary to act, entitled " an act for the better establishment and regulation of the militia of this state," passed at Knoxville, the 5th November, 1803. And a bill to authorise the courts of Greene and Washington counties, to amend a road therein mentioned, were read the second time, amended, passed and sent to the house of representatives.

A bill to make good & valid the record and registration of deeds therein referred to, was read the third and last time, passed, and ordered to be engrossed.

The house adjourned until to-morrow 6 o'clock, A. M.

S A T U R D A Y, April 22d, 1809.

The house met according to adjournment.

Mr. White from the committee of enrolled bills, reported that they had examined the following engrossed bills, which

they found to be correctly engrossed, which were signed by the speaker, and sent to the house of representatives, to wit:

An act to repeal the second section of an act, entitled, "an act allowing and regulating certain officers fees in particular cases," passed the 11th September, 1806.

An act to grant relief to those who have failed to record and register their deeds and mesne conveyances, within the time heretofore prescribed by law.

An act to facilitate the transfer of lands south of French Broad and Holston.

An act to establish a separate election in the county of Maury.

An act to prolong the time for receiving claims by the commissioners of East and West Tennessee, and for other purposes.

An act to amend the law in force for keeping roads in repair.

An act to amend the land laws, passed in the years 1806 and 1807.

An act for the relief of the citizens south of French Broad and Holston, and to provide for the collection of the monies arising on occupant claims.

An act concerning executions, and for other purposes.

And, an act to provide for the payment of the members, clerks and door-keepers of this general assembly, and for other purposes. Which acts were severally signed by the speaker of this house, and sent to the house of representatives.

A bill to repeal the 6th and 7th sections of an act, passed at Knoxville, the 3d day of December, 1807, entitled, "an act supplementary to an act, entitled "an act for the better establishment and regulation of the militia of this state," passed at Knoxville, the 5th November, 1803, read the third time and rejected.

A resolution of the house of representatives, relative to going into the election of a public printer, which was ordered to lie on the table, was taken up, read and non-concurred with; a message was sent to the house of representatives informing them thereof.

On motion of Mr. White the following message was sent to the house of representatives.

Mr. Speaker and Gentlemen,

The senate propose that a committee be appointed to wait on his excellency the governor, and inform him that

this general assembly intend adjourning this day; unless they should have some communication to make, that will render it proper they should remain longer in session and have named Mr. Doherty a committee on their part for the above purpose, to which they ask your concurrence. In answer to which a message of concurrence was received from the house of representatives, and informing this house, that they had appointed Messrs. Black and Blount a committee on their part, to act with the committee on the part of this house.

Mr. Doherty from the committee appointed to wait on his excellency the governor, for the purpose expressed in the above message of this house. Reported, that he had done so, and that the governor would make his communication at one o'clock of this day.

The honorable Robert Houston delivered to the speaker the following communication of the governor, accompanied by sundry documents:

*Mr. Speaker and gentlemen of the Senate, and
Mr. Speaker and Gentlemen of the House of Representatives,*

I have the honor to lay before you, some correspondences between the Executive, the Cherokee and Creek nation of Indians and their agents.

JOHN SEVIER.

Knoxville, 22d April, 1809.

Which communication, together with the documents, were read, and ordered to be sent to the house of representatives.

Received from the house of representatives a message accompanied by a resolution, that ten copies of the act passed at this session of the general assembly, entitled "An act, concerning executions and for other purposes for each county in this state, be procured to be printed, and that the committee authorized to contract for public printing, be requested to contract with some printer for printing the same, and also for transmitting to the clerk of each county in this state, the above number of copies as soon as practicable, to be distributed by said clerk, and asking the concurrence of this house, which was non-concurred with, but proposing, that twenty copies of said act, &c. be printed, and a message sent informing the house of representatives thereof, and asking their concurrence. In answer to which, a message of concurrence was received from the house of representatives.

A message was sent to the house of representatives, informing them that the senate had taken up for the third and last reading, a bill concerning executions, and for other purposes, and proposing sundry amendments thereto, which amendments were recited in the message, and requesting them, should they agree to said amendments, to send two of their body to see the amendments made. In answer to which, a message of concurrence was received from the house of representatives, to all the different amendments except inserting the following words at the close of the fifth section "or that the property is likely to be taken by another execution of younger date," and informing this house, that they had appointed Messrs Cocke and Trimble to see the amendments made, which bill was then amended, read the third and last time, passed, and ordered to be engrossed. On the passage of the above named bill, the yeas and nays were as follow :

Yeas—Messrs. Weakley, Russell, Doherty, Walton, Wilkinson, Douglass, Perkins and Kennedy—8.

Nays.—Messrs. Brown, Lea, White and Thornton—4.

Major Lea's reasons for having voted in the negative on the passage of the aforesaid bill, concerning executions, &c.

Having given my vote against the passage of a bill in which it is supposed the people are deeply interested, I have a wish that some of the reasons which induced my vote, should remain recorded with it :

1st. I am of opinion that some of the provisions of this bill, are inconsistent with the constitution of this State, and as I have sworn to support that constitution, I cannot consent to any bill which violates any of its provisions.

2d. We all profess it to be our wish to pass such a law as will benefit the people, especially the poorer class of debtors ; this bill, will, in my opinion, benefit the creditors, and make the debtors worse. It holds out strong temptations to commence suits—By commencing a suit, the creditor obtains security for his money, or immediately sacrifices the debtor's property. It not only holds out temptations to commence suits, but it increases the costs to such an extent, that the debtors never will be able to bear them. If a man owes two or more persons who sue him, he can perhaps give security and procure a stay of execution on four or five judgments against him, and then perhaps, a sixth person obtains a judgment, and the debtor cannot give security, all his property

is then sold on the last judgment, and five of his neighbors who had been his securities in the other cases, are ruined on the debtors account. In this way, I am of opinion this law is calculated to embroil whole neighborhoods in law suits, which will distress and finally ruin them.

3d. Even after bond and security is given in many cases, the debtor will not obtain a stay of execution so long under this law, as he could under the laws heretofore in force. In some cases when a justice rendered a judgment, the defendant could, by giving security, stay the execution one hundred and twenty days; but under this law, no execution can be stayed longer than to the first day of December next. If then, in the months of September, October or November, a judgment should be rendered before a justice, the debtor will procure little or no stay, even if he can give security, and it will be almost as hard upon the debtor, as if we should pass a law compelling him to give security to his creditor, without thereby delaying execution one moment.

4th. It is known to all of us, that a number of our citizens who are poor, can neither pay their debt nor give security; yet the provisions of this bill, will make their case worse than if they were entirely unnoticed in it; they may in many cases, under the seventh section of this bill, have all their property taken from them, and put into the hands of some other person, and if that other person does not pay the amount which he bids for it, the debtor after having been stripped of all his property, is left liable to pay the whole debt over again, with the addition of heavy costs.

5th. Our laws, in which the common people have much interest, of all others should be most plain and easily understood; yet this law is so confused and complex—so overloaded with provisos, exceptions and conditions, that I cannot understand what it means, and I firmly believe that the debtors, justices, clerks, sheriffs, constables, or any other person, can ever put a correct interpretation on it, without the help of a lawyer, and I rather think, the lawyers themselves, will not be able to understand it.

6th. I feel pretty well satisfied that this law will never be of any benefit to any other class of citizens except the creditors, the attornies, the clerks, sheriffs, &c. The creditors in many cases, can under it, secure their debts, the attornies in every case will receive two fees in place of one,

and as the clerks and other officers have more business to do, they will of course have more fees.

7th. I am of opinion that while we profess to help the debtors, we benefit the creditors; that under a pretence of checking litigation, we are multiplying law suits to such an extent, as will eventually distress and destroy numbers that are now in good circumstances; and as I can plainly see, that much mischief may happen from this law, and am not able to perceive any benefit that can result from it, I have felt it my duty to vote against it, and not for the sake of experiment inflict such an injury upon those I am pledged to serve, as it will never be in my power to repair.

MAJOR LEA.

The following persons were appointed justices of the peace at this general assembly:

For the county of Robertson—Plummer Willis.

Montgomery—Samuel Norrington, William R. Gibson, Henry H. Bryan, William Clements, Benjamin Hawkins, James G. Wheeland, Bryant Whitfield, Allen Anderson, William Bearden and John Henderson.

Stewart—Henry Pugh, James Miller, Josiah Aken, William Pryor, Abel Olive, John Warden and Robert Jerman.

Hickman—Ezekiel Thomas, William Curl, Josiah McConnell, William Hickenbottom, Robert Anderson, James Perry, James Merrison and Isaac Shull.

Greene county—Augustin P. Fore, James Allen, Thomas Conway, William Kelly and Washington Hei Shaw.

Grainger—Moses Hedge, James Brown, (of capt. James's company) and Thomas Brown.

Bledsoe—William Robertson, Isaac Stephens and John Anderson.

Rhea—David Murphey, Azariah David, Joseph Looney and Jesse Roddye.

Roane—Merriwether Smith, Hugh Dunlap, Solomon Gezan and John Givens.

Carter—John Scoggins, James Johnston, (Doe river) Benjamin C. Harris, John L. Williams, Johnston Hampton, Henry Hammons and James Keys.

Sevier—Parson Davis, Thomas Underwood.

Williamson—Abraham Byler, Samuel Wells and William Hells.

Maury—Amos Johnston, Ludwell B. Ellis, David Craig,

Robert Hill, Samuel M-Lean, John Mathews, captain Benjamin Smith, James Sanford, Robert Sellers, Samuel Polk, Gabriel Bumpass, Sammerlet Moore, Robert Steele, Robert Gordon, Joseph Brown, William Bradshaw, Simon Johnston, Albert Russell, John White, (of Richland creek of Elk) Edward Hutlon and Littleton Dady.

Bedford—William Dickson, Cornelius Slater, John Wilson, Eli Garrett, Richard Middleton, Ezekiel Norris, Richard Calloway, John Whiteacre, senior, William Gunn, Jesse Woodruff, John Lane, Allen Leeper, Samuel B. Harris, John Thompson, Patrick Peck, James McCutchan, John H. Moore, Samuel Garland, Samuel Barnes, Thomas L. Trotter, William Roundtree, John Enocks, David Floyd, David Kincaid, Nathaniel Poor, Philip Koonce and William Smith.

Smith—James Wright, John Asher, William Moore, Randal Friend, William Haney, William P. Lawrence and Robert W. Roberts.

Jefferson—Samuel Gals.

Campbell—Spencer Graham, Benjamin Wheeler, Thomas Murray, Sampson David, Isaac Christman, James Hutson and David T. Strong.

Anderson—Michael Clardy, Jaret Harben and John England.

Claiborne—John Evans, Robert Patterson and William Legier.

Hawkins—John Johnston and Samuel Smith.

Franklin—Pumfret Herndon, John King, (son to Baxter King) William Metcalf, Samuel Bingham, Elisha Floyd, John Cowan, Charles M-Daniel, James Keith and James McCord.

Cocke—Francis J. Carter.

Bleunt County.—William Gray, John Walker, (of Little river) and John Gilletpie.

Washington—James Parker and Henry King.

Jackson—Mathew Rogers, William White, Alexander Keith, Joseph Hawkins, Elijah Owes, John Harden, John Clary and William S. Waterfson.

Overton—James Taylor, William Evans, Isaac Oaks, John Ragan, John Coons, Abel Willis, James Furner, Francis M-Connel, Robert Mitchell, Squier Pettut, Samuel Brown, Peter Williams, Allen M'Donnel, George Armistro, John Taylor and Henry Rayburn.

White—Edward Harrifon, Joseph Smith, Joseph Cumings,

Isaac Metcalf, Henry Null, William Irvine, Isaac Taylor, Elijah Chisum and Thomas Crutcher.

Warren—John A. Wilson, Christopher Shell, Benjamin Lockhart, James Taylor, George Hammons, Benjamin Wootton and Robert G. Foster.

Davidson—Benajah Gray, Braxton Lea, Benjamin J. Bradford, Joseph Greer, Robert Johnston and Philip Pipkins.

Sumner—Isaac Baker, Edward Sanders and Samuel M. Murry.

Rutherford—Hance Hamilton, John Jetton, David Fleming, Alexander M'Ewen, George Simson, Daniel Bowman, John Miller, Daniel Green, John Willon, James L. Armstrong and John Henderson.

Wilson—John Hill, George Clark, Samuel Cannon, Ezekiel Cloyd, Walter Carruth, James Cross, James Richmond and Thomas Stewart.

Received from the house of representatives, a message informing this house that they had taken up for the third and last reading, a bill for the payment of the members, clerks and door keepers of this general assembly, &c. and proposing to amend the same in the last section, by striking out the word "secretary of state," and inserting in room thereof, the words "the governor of this state," so as to make it read "it shall be the duty of the governor of this state to employ some person to print the laws and journals, &c." Also by striking out the section authorising Lewis Demofs, to erect a mill on Harpeth river, &c. and requesting this house, should they agree to said amendments, to send two of their body to see them made. Which was non-concurred with by this house, as it respected the governor of this state, employing some person to print the laws and journals, but concurred with, as it respects striking out the section authorising Lewis Demofs to erect a mill on Harpeth river, &c. A message was sent informing the house of representatives thereof.

Received from the house of representatives certain resolutions approbating the conduct of the late administration of the general government, and disapproving the repeal of the embargo laws, without granting letters of Marque and reprisal against France and Great-Britain, &c. which were read, and on motion of Mr. Kennedy, to lay them on the table until the next general assembly. The yeas and nays were as follow :

Yeas. Messrs. Weakley, Ruffel, Lea, Doherty, Walton, White, Thornton, Douglass, Perkins and Kennedy. 10.

Nays. Messrs. Brown and Wilkinson. 2.

Whereupon Mr. White presented to the house an address to James Madison, president of the United States, in the following words, to wit:

"To James Madison, President of the United States,

Sir—At this important and critical period, in the affairs of our country, when by the aggressions of foreign nations, we are in danger of being involved in those distressing conflicts, which have so long desolated the fairest portion of the old world, the general assembly of Tennessee deem it proper to express to you some of the sentiments, which in common with their constituents, they entertain in relation to the present situation of their country.

Exempt from the influence of those causes, which have so long exposed the nations of Europe, to the calamities of almost continual war, and placed by providence in an extensive country "the improvement and population of which were objects of the highest importance to their comfort and safety, the people and government of the United States, have uniformly manifested a sincere desire to preserve the relations of amity with all nations. Always just to others, they have desired only in return, that respect for their indubitable rights, which would permit them to enjoy in peace the fruits of their honest industry, and to provide for their own happiness by such means, as without infringing on the rights of others, should appear to them best calculated to promote that end. It is to be lamented, that conduct so unexceptionable and dispositions so eminently calculated to secure and promote the true happiness of mankind, have not been always duly appreciated by foreign nations. The honor and interest of the United States have been repeatedly and unjustly assailed by the belligerents of Europe, and we are at length placed in a situation in which an appeal to the sword in defence of our rights, cannot be much longer deferred, unless an amicable adjustment of our differences can be effected.

While the citizens of Tennessee, cherishing an ardent love of peace, would be willing to make any sacrifices compatible with the honor and essential interests of their country, in order to preserve it, they will, nevertheless, should war become inevitable, rally round the standard of their country.

and demonstrate to the world, that in proportion to their love of peace, is their firm determination to defend and support their rights against any invader whatsoever; confident that whatever differences of opinion may exist among us, the great mass of our fellow-citizens in every part of the union, are equally devoted to the cause of their country, we cannot but regret that attempts were made to excite suspicions and jealousies in the minds of our citizens, subversive of that mutual confidence in each other, which in our present situation is so much to be desired. Such attempts we trust, will be discountenanced with a promptitude and decision, proportionate to the injury which they are calculated to produce.

Called to the administration of the government at a period of peculiar peril and difficulty, we are aware sir, of the arduous task imposed upon you by your country, but, when we recollect the many proofs you have afforded of those distinguished talents and republican virtues, which have procured you so honorable a share of the confidence of your fellow-citizens, and above all, when we call to mind the firm and sincere attachment to our excellent constitution, evinced by your early and very able exertions in its defence, we are led to indulge the most sanguine expectations, that your administration will be characterized by wisdom, moderation, and a sacred regard to those fundamental principles of our government, so dear to the American people; and that under the blessing of providence, it will prove highly beneficial to your country and honorable to yourself, in pursuing whatever course the honor and interest of our country may require, you may rely sir, with confidence on the citizens of Tennessee for that zealous and constant support which, an ardent love of their country, and an immoveable attachment to the constitution, union and independence of the United States, cannot fail to ensure

Accept sir, our cordial congratulations on your elevation to the chief magistracy of the union, and our best wishes for your present and future happiness.

Which was read, and ordered to be sent to the house of representatives, and on motion of Mr. White, the following resolution was adopted, and a message sent to the house of representatives informing them thereof, and asking their con-

currence: in answer to which a message of concurrence was received from the house of representatives.

Resolved by the general assembly of the state of Tennessee, that a copy of the foregoing address be furnished the governor of this state, with a request, that he cause the same to be transmitted to the president of the United States.

Resolved, by both houses of this general assembly, that the public printer of this state, is hereby required to distribute and deliver in good order, to the clerks of the several county courts within this state, copies of the laws, and copies of the journals, as follows :

	LAWs.	JOURNALS.
To the county of		
Blount,	40	30
Carter,	25	12
Claiborne,	25	12
Cocke,	25	12
Davidson,	50	25
Greene,	47	30
Hawkins,	40	30
Jackson,	30	30
Overton,	30	15
White,	30	15
Jefferson,	30	15
Knox,	56	30
Montgomery,	35	30
Roane,	30	25
Anderson,	30	25
Robertson,	35	30
Dixon,	30	25
Rutherford,	40	30
Savner,	25	15
Smith,	33	20
Sumner,	47	30
Washington,	47	30
Williamson,	47	36
Wilson,	30	20
Fitzkin,	30	15
Bedford,	40	30
Warren,	30	15
Flickman,	20	15
Stewart,	30	25

	LAWS.	JOURNALS.
To the county of		
Maury,	36	26
Sullivan,	30	20
Rhea,	25	15
Bledsoe,	25	15
Grainger,	35	20
Campbell,	20	15

On motion of Mr. Wilkinson, the following resolution was read and adopted, and a message sent informing the house of representatives thereof, and asking their concurrence :

Resolved, by the General Assembly of the State of Tennessee, That the representation of this state, in the congress of the United States, be, and are hereby requested to endeavor to procure a repeal of so much of an act of the congress of the United States, entitled, "an act to authorise the state of Tennessee to issue grants and perfect titles to certain lands therein described, and to settle the claims to the vacant and unappropriated lands within the same," as fixes the price of any lands within the bounds of the lands ceded and relinquished by said act to the state of Tennessee.

Resolved, That the governor of this state be requested to transmit to each of the senators and representatives from this state, in the congress of the United States, a copy of the foregoing resolution.

Received from the house of representatives, a message concurring with the adoption of the above resolution.

Resolved unanimously, That the speaker of the senate is entitled to the thanks of the house, for the firm, able, and discreet manner in which he has discharged the duties of the chair, during the present session of the general assembly.

Received a message from the house of representatives, informing us that they were ready to adjourn without day. A message was sent in answer thereto, stating that the senate were also ready to adjourn without day.

The house adjourned *sine die*.

JOSEPH M'MINN,
Speaker of the Senate.

ATTEST,
JOSEPH M. ANDERSON,
Clerk of the Senate.

ESTIMATE

Of the pay of the Members, Clerks and Door-Keepers of the General Assembly, held at Knoxville, on the third day of April, 1809.

<i>Names.</i>	<i>Days.</i>	<i>Miles.</i>	<i>Dolls.</i>	<i>Cents.</i>
John Wilkison,	20	32	53	20
James Scott,	20	48	54	86
Alexander Doran,	20	310	81	60
John Vanbibber,	20	100	60	00
William Lillard,	20	120	62	00
Thomas Williamson,	20	400	90	00
John Cocke,	20	66	56	60
Robert Guin,	20	150	65	00
William Young,	20	170	67	00
William Bradley,	20	162	66	20
John Crawford,	20	226	72	60
Henry I. A. Hill,	20	250	75	00
Christopher Haynes,	20	60	56	00
James Trimble,	20		50	00
Thomas Dardis,	20		50	00
Willie Blount,	20	450	95	00
John Kirby,	20	33	53	50
Anderson Cheatham,	20	450	95	00
Joseph Dickson,	20	350	85	00
John Cannon,	20	44	54	40
Joel Dyer,	20	298	79	80
Samuel P. Black,	20	350	85	00
James Cryer,	20	360	86	00
William Mitchel,	20	200	70	00
Chapman White,	20	450	95	00
Robert Edwards,	20	370	87	00
John Tipton,	20	240	74	00
Hugh L. White,	20		50	00
William Brown,	20	80	58	00
George Doherty,	20	56	55	60
Major Lea,	20	40	54	00
Joseph M. Mann,	20	180	68	00
John Russell,	20	150	65	00

Estimate of pay, &c. brought forward.

<i>Names.</i>	<i>Days.</i>	<i>Miles.</i>	<i>Dolls.</i>	<i>Cents.</i>
John Kennedy, - - -	20	200	70	00
William Walton, - - -	20	230	75	00
Edward Douglass, - - -	20	400	90	00
Nicholas T. Perkins, - - -	20	430	93	00
Robert Weakly, - - -	20	400	90	00
Samuel Thornton, - - -	20	500	100	00
Jacob Peck, clerk of the house of representatives, - - -	20		90	00
The same, for stationary, - - -			35	00
Richard G. Gilespie, assistant clerk to the house of representatives, 20	20		90	00
Joseph M. Anderson, clerk to the senate, 20	20		90	00
The same, for stationary, 31			25	
Luke Lea, assistant clerk to the senate, 20	20		90	00
John Rhea, door keeper, to the house of representatives, 20	20		50	00
The same for funerals, 5			00	
Andrew Rhea, assistant door keeper to the house of representatives, 12			00	
John Bright, door keeper to the senate, 20	20		50	00
The same for sundries, 5			00	



John Bright